

File #:

62-116395

Serial Scope:

299X thru 300

2 - Mr. J. A. Mohr (Holtzman)
1 - Mr. W. R. Wannall

June 18, 1975

The Attorney General

Director, FBI

1 - Mr. W. O. Cregar
1 - Mr. K. A. Mendenhall

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to a letter from the SSC dated May 14, 1975, with attached appendices A thru D requesting certain documents and other information from the FBI.

Attached for your approval and forwarding to SSC is the original of a memorandum which responds in part to one of the requests contained in above SSC letter.

A copy of the memorandum is being furnished for your records.

Enclosures (2)

62-116395

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/4/00 BY SP2ALM/ETH

1 - The Deputy Attorney General
Attention: E. William O'Connor
Special Counsel for
Intelligence Coordination

KAM:sdjs eds
(9)

ENCLOSURE

REC-102

62-116395-300

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall

62-116395

June 18, 1975

1 - Mr. W. O. Cregar
1 - Mr. K. A. Mendenhall

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: FURTHER DOCUMENTS PERTAINING TO
THE FBI AND DEPARTMENT OF JUSTICE

POLICIES AND PROCEDURES

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/4/00 BY SP2 ALM/EHL

Reference is made to letter, with attached
appendices, dated May 14, 1975, to the Attorney General
from the Chairman of captioned Committee, requesting certain
documents and other information from the Federal Bureau
of Investigation (FBI).

Appendix B, Item I, number 2 of referenced
appendices requested this Bureau to provide: "Committee
staff access to all so-called "0" files or other general
policy files with respect to each file classification
routinely used by the Intelligence Division for the period
1930 to the present." It is believed this request actually
refers to the "00" files of the FBI which contain policy
memoranda and other communications of a general nature
pertaining to a particular classification.

At a conference held on May 30, 1975, between
Messrs. John T. Elliff and Mark Gitenstein of the Senate
Select Committee; Mr. K. William O'Connor of the Department
of Justice; and Messrs. William O. Cregar and Elmer W.
Larson of the FBI, it was agreed, in response to above request,
that this Bureau would make available to appropriate
personnel of the SSC staff, for review at FBIHQ, copies of
pertinent policy memoranda and other communications
representative of the type maintained in the "00" file as it
relates to one classification routinely investigated by the
Intelligence Division. The classification chosen bears the
caption "Investigations of Subversive Organizations and
Individuals" and instructions relating to investigations of
individuals and organizations falling within this category
are contained in Section 67 of this Bureau's Manual of

KAM:sdjs sdjs
(8)

SEE NOTE PAGE TWO

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

GPO : 1975 O - 569-920

RE: Further Documents Pertaining to
the FBI and Department of Justice

Policies and Procedures

Instructions. Communications contained in this "00" file pertaining to Special Agent in Charge (SAC) memoranda and revisions to the Manual of Instructions are not being provided for review inasmuch as these items are being handled under a separate request.

Pertinent documents, believed responsive to above agreement, are now ready for review at FBIHQ by appropriate personnel of the SSC staff.

1 - The Attorney General

NOTE:

Section 87 of the MOI pertains to 100 classification matters. Memoranda and communications being made available to SSC staff members were extracted from 100-00-28 thru 100-00-32 which covers the period 1960 to the present. Request for SAC memoranda are being handled under Appendix B, part I, item 1a, attached to the SSC letter of May 14, 1975. Request for revisions to the MOI from 1960 to present are being handled under item 1 of the SSC memorandum dated April 30, 1975. Serial numbers of memoranda and communications being furnished SSC have been noted on our copies of these communications.

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: Senate Select Committee

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 6/18/75

U.S. Senate Select Committee. Re; Further
Caption of Document: Documents Pertaining to the FBI
and Department of Justice; Policies and
Procedures. Appendix B, Item I, Number 2

Originating Office: FBI

Delivered by: Richard T. Taylor, Jr. Date: 6/20/75 3:10 PM

Received by: [Signature]

Title: Officer Manager

Return this receipt to the Intelligence Division, FBI

MDR

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/4/00 BY SP2 ALM/ETHC

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

Federal Bureau of Investigation

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available
for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

6/18/75

FOR REVIEW

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC☐ HSCMDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/4/00 BY SP2ALM/EHC4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)

Further Documents Pertaining to the FBI and Department of Justice.

5. IN RESPONSE TO (list date and item number if in response to formal request, other-
wise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 5/14/75; Appendix B, Part 1, Item 2.

6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)

"U"

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)

Operating procedures

8. SUMMARY (see reverse side before completing this item)

At the request of SSC, copies of policy memoranda and other
communications of a general nature pertaining to specific
classifications investigated by this Bureau are being made
available at FBIHQ for review by SSC members.

TREAT AS YELLOW

62-116395

TJM:1hb
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN
CONNECTION WITH SENSTUDY 75.

LFS 7-2-75

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: 6-6-60

FROM : J. F. Malone

SUBJECT: CHANNELIZING MEMORANDA
SECURITY-TYPE CASESMDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/4/00 BY SP2ALM/CHL

The purpose of this memorandum is to call attention to the problem of retaining channelizing memoranda in field case files.

BACKGROUND: Under the present procedure, when data is received from security informants either their reports or a memorandum on data furnished is prepared and is placed in the subfile relating to the particular informant. A memorandum, which is called a channelizing memorandum, is then prepared setting forth the various items of information furnished and copies are designated for each file for which the contents of the memorandum relate. The original memorandum furnished by the informant is placed in the subfile of the informants file. Any memorandum which is prepared on the basis of oral information is placed in this file and also referred to as a channelizing memorandum.

Many suggestions have been received starting in September, 1952, and up to April 18, 1960, to destroy these memoranda in case files after the information has been incorporated into a report. In all instances, these suggestions have not been adopted. The Executive Conference on 7/6/53 considered this matter and was unanimously opposed. The Domestic Intelligence Division has consistently opposed these suggestions.

This matter was discussed at the Internal Security-Espionage conferences, January 12-13, 1959, and recommended study by the Training and Inspection Division during inspections of larger offices. On September 17, 1959, in a memorandum from Mr. Tamm to Mr. Tolson, (100-00-1481), it was recommended that the channelizing memorandum be retained in individual subject files.

The Inspection Staff has frequently been presented this problem during inspections. In discussing this matter with field representatives, there is a divergence of opinion.

100-00-1485

Memo to Mr. Mohr
Re: Channelizing Memoranda
Security-type Cases

ADVANTAGES: Saving of file cabinets, office space and prevent case files from becoming voluminous, particularly in larger offices. As an example, during the last New York inspection (completed 3-25-60) in four Internal Security case files, there was an increase since the last inspection of 17, 20, 16, and 12 volumes respectively. These files contained some reports, letters and airtels, but the bulk of the files was channelizing memoranda. These examples reflect the increase of storage space for these files.

DISADVANTAGES: The purpose of these memoranda is to insure that all information from informants pertaining to a particular subject is placed in the subject's file and readily available. Comparisons of channelizing memoranda against reports reflect all information from the memoranda is not incorporated into the report such as information of intelligence nature. Intelligence information available in channelizing memoranda is often needed in conducting surveillances and other investigation relating to a subject. If the memoranda were destroyed, the Agent would be required to review numerous informant subfiles to insure he had all information. It is a possibility he might miss some valuable intelligence information. Security reports are prepared for future prosecution. Should there be an emergency, it would be virtually impossible for all Agents involved to review the original reports or original channelizing memoranda due to the great demands which would be made for such material.

CONCLUSIONS: While this matter has always been decided in favor of retaining channelizing memoranda, we continue to receive suggestions from the field that consideration be given to destroying them once they have been incorporated into a report. It is obvious there would be a great amount of filing space saved if this were possible. However, in view of the objections set forth, it is believed this matter should again be considered by the members of the Internal Security Espionage Conference on June 9 - 10, 1960, in an endeavor to establish whether it is possible to overcome the enumerated objections. It is the consensus of the Inspection Staff that if the material objections can be overcome the destruction of channelizing memoranda after they have been incorporated in a report would be desirable.

RECOMMENDATION: That this matter be discussed at the Internal Security - Espionage Conference, June 9 - 10, 1960.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: June 12, 1962

FROM : Mr. F. J. Baumgardner

SUBJECT: SECURITY REPORT WRITING -
THOROUGHNESSMDR 16
ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/4/00 BY SP3 AM/EHL

From a review of investigative reports concerning security matters in recent months a tendency has been noted on the part of the field to report plans of a subversive group to take certain action, without a follow-up to report that the action did or did not take place. This is an undesirable practice as it may infer inadequate investigation and could prove embarrassing because of the fact that we disseminate information to many other agencies which rely on us for the full facts in given situations.

Examples of the foregoing may be found in the following: Bufiles 97-401-1291, 1292; 100-3-29-1162, 1163; 100-3-63-1037; 100-46808-820, 823. In all these instances the reporting period encompassed the dates when certain activities were to have taken place but the reports failed to resolve the actuality of the situation.

OBSERVATIONS:

It is basic that we are as much interested in actions taken by a subversive group or individual ^{as in} ~~than~~ what it or he may plan to do. To report only an intention or plan without the necessary follow-up is to leave the matter unresolved in the mind of the reader. It is believed that a reminder to the field in the form of an SAC letter would be desirable and is therefore recommended.

ACTION:

Attached for approval is an SAC letter reminding the field of the necessity for thoroughness in security report writing. Manual changes not necessary.

100-00-1494

November 17, 1964

Airtel

To: SAC, Los Angeles (100-00)

From: Director, FBI (100-00)

FRAUD AGAINST THE GOVERNMENT
SECURITY MATTER

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/4/00 BY SP2 ARM/CHL

Reurlet 11/3/64.

According to present Bureau policy, when security fraud cases are referred by the intelligence agencies, they are always accepted for investigation of the fraud violation with the understanding that any investigation which the interested agency desires to make pursuant to its responsibilities will not interfere with the investigative responsibilities of this Bureau. The Bureau's policy in these cases has never been to prohibit OSI from conducting an interview with the subject at any time it chooses to do so. It would be advisable, of course, for OSI to inform your office when it plans such an interview so that the two investigations could be coordinated.

It should be understood that OSI will furnish your office the results of any OSI investigation relating to a fraud violation within FBI jurisdiction.

100-00-1504

SAC, San Juan

Director, FBI

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/ETHC 3/24/66

FIELD SUPERVISION - INTERNAL SECURITY -
NATIONALISTIC TENDENCY MATTERS

During the period 11/10/65 to 3/18/66 in connection with work handled by your office regarding various nationalistic tendency matters it has been necessary for the Bureau to initiate correspondence with the San Juan Office on 41 separate occasions regarding nonsubstantive errors in communications, other than teletypes, prepared by the San Juan Office.

An analysis of the 41 communications sent to San Juan in this connection has revealed that 62 separate errors of form were involved. Fifteen of the errors related to incorrect description or insufficient concealment of sources. An additional 15 errors were of a typographical nature. In seven instances errors were made in classifying reports and letterhead memoranda prepared for dissemination. Remaining errors were in titles of communications (four); failure to submit evaluation memorandum (three); inclusion of incorrect references in communications (three); omission of character of cases (two); incorrect designations of copies (five); failure to submit material in form for dissemination (four); and one error each for omitting place of preparation of a letterhead memorandum; submitting partly illegible material for dissemination; failure to date a memorandum; and omitting leads from an investigative report.

In going over the types of errors committed, it will be noted that almost all of them could have been avoided by the exercise of more care in preparing the communications or in proofreading them.

Administrative correspondence to call the attention of your office to errors committed is time-consuming and must be reduced. The pattern shown here is indicative of a lack of proper attention to details and to accuracy of material prepared in the San Juan Office. Reports and letterhead memoranda are often given wide dissemination at the Seat of Government and you must assure that the material emanating from your office is closely scrutinized from a standpoint of quality and accuracy.

100-00-1506

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: July 28, 1967

FROM : C. D. Brennan

MDR-16

SUBJECT: ~~BLACK REVOLUTIONARY GROUPS~~
INTERNAL SECURITY - MISCELLANEOUS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/5/00 BY SP2 ALM/EHL

The Summer of 1967 has shown a marked increase in racial tension and riots. The Bureau is now faced with the problem of dealing with revolutionary groups which are outside the civil rights movement. Leaders of these groups, such as ~~James Ray~~ and ~~Malcolm X~~ of the Student Nonviolent Coordinating Committee, and ~~George Jackson~~ of the Revolutionary Action Movement, are calling for revolutions.

Several members of Congress have called for legislation to handle this problem. It appears that the statements and actions of such individuals as those mentioned above come within the purview of Title 18, Section 2385, United States Code (Smith Act of 1940) which makes it illegal to advocate, abet, advise, or teach the duty or desirability of overthrowing or destroying the Government of the United States or of any State or political subdivision therein.

The Act also makes it illegal to print, publish, issue, or to distribute written or printed matter advocating such actions.

A membership provision of the Act makes it illegal to organize a group advocating such actions. It is also illegal to become a member of such group if the person who becomes a member knows the purpose of the group.

OBSERVATION:

We have furnished the Department voluminous material concerning such groups and individuals, including literature and statements which appear to fall squarely within this law. The Department has given us no indication that it is even considering action under Title 18, Section 2385. In view of the many inflammatory statements being made by leaders of these groups and the increasing pressure for action against them, it is felt that we should go on record

Enclosure

100-00-1507

Memo to Mr. Sullivan
RE: BLACK REVOLUTIONARY GROUPS

with the Department concerning the possibility of prosecution under this law. There is enclosed a letter to the Attorney General asking whether the Department has considered prosecution under Title 18, Section 2385.

RECOMMENDATION:

That the enclosed letter to the Attorney General be approved.

The Attorney General

Director, FBI

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL
July 31, 1967

BLACK REVOLUTIONARY GROUPS
INTERNAL SECURITY - MISCELLANEOUS

This Bureau has furnished voluminous material to you concerning the statements and actions of officials of black revolutionary groups, such as ~~the Black Panther Party~~ and ~~the Black Liberation Army~~ of the Student Nonviolent Coordinating Committee, and ~~the Black Liberation Army~~ of the Revolutionary Action Movement.

A review of their statements and actions indicates that they may fall within the purview of Title 18, Section 2385 of the United States Code. Please advise whether the Department has considered the possibility of proceeding against the individuals under this law.

- 1 - The Deputy Attorney General
- 1 - Mr. J. Walter Yeagley
Assistant Attorney General

100-00-1507

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: 3/31/70

FROM : C. D. Brennan

SUBJECT: SECURITY INVESTIGATIONS OF INDIVIDUALS

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP8 ALM/EHL

On 2/27/69, the Executives Conference approved a six-month suspension of investigations in selected Security Matter - Communist cases as well as report writing in cases involving Priority II and Priority III Security Index subjects. This moratorium was imposed as a matter of temporary expediency in order to make additional investigative personnel available for organized crime investigations in the field. At the conclusion of the above six-month period, the moratorium was evaluated and on 9/17/69, a letter was sent to the field advising that this moratorium would remain in effect for an additional six months.

Priority I of the Security Index includes those individuals considered to be hard core national and state leaders of subversive groups and individuals with no organizational affiliation who are believed to pose an imminent threat to the internal security. Verification of residence and employment of individuals in this category are conducted every three months and reports submitted annually. Cases in this category have not been affected by the moratorium.

Priority II of the Security Index includes those individuals considered to be the second level of leadership in subversive organizations and individuals believed to be dangerous but in less influential positions than those included in Priority I. Verification of residence and employment in this category and submission of reports are performed on an annual basis. Cases in this category have been affected by the moratorium.

All other individuals in the Security Index are tabbed Priority III. Cases in this category have likewise been affected by the moratorium. Prior to 12/69, verification of residence and employment of these individuals was conducted on a yearly basis and reports were submitted every two years. In 12/69, for the purpose of streamlining our procedures, the Bureau, with the concurrence of the Department, instructed the field that in the absence of unusual circumstances, annual reports no longer need be submitted regarding Priority III subjects.

100-358086-4022

Memorandum to Mr. W. C. Sullivan
RE: SECURITY INVESTIGATIONS OF INDIVIDUALS
100-358086

As of 3/13/70, the Security Index contained 696 Priority I subjects, 2065 Priority II subjects and 8286 Priority III subjects. In view of the above-stated changes in procedures, should the moratorium be lifted at this time, no reports need be submitted in the 8286 Priority III cases, and reports need only be submitted on a periodic basis in the 2065 Priority II cases. This represents an approximate 73 percent reduction in report writing in these categories.

As the Bureau has gone on record in placing the above moratorium into effect, it would be in the best interests of the Bureau to similarly go on record, notifying the field that the moratorium has been suspended. Additionally, it is imperative that the moratorium be suspended to help regulate the size of the Security Index. Manual of Instructions requires that subjects, after five years of inactivity in a basic revolutionary group or three years of inactivity in a front group, be considered for Security Index deletion. As a result of the moratorium, no action has been taken by the field in this respect in the past year, and the Security Index has continued to grow. From March, 1969, to March, 1970, the Security Index has increased by over 800 names, principally because the necessary process of attrition has been suspended.

It is recognized the moratorium was necessary when instituted. It is felt, however, that now is the appropriate time for the moratorium to be rescinded not only to enable the Bureau to fulfill its responsibilities in the vital internal security field, but because lifting of the moratorium at this time will not create the burdensome increase in the workload of the field that would have existed had not the previously-stated changes in procedures been placed into effect.

Attached is letter to all field offices advising that the above moratorium has been rescinded.

RECOMMENDATION:

That the attached letter to all field offices, advising of the lifting of the moratorium, be approved and sent to the Mechanical Section in order that appropriate copies be made.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

DATE: April 17, 1970

FROM : W. M. FELT

SUBJECT: SECURITY INVESTIGATIONS
OF INDIVIDUALS

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

Memorandum C. D. Brennan to Mr. Sullivan, dated March 31, 1970 (attached), recommended rescinding of the moratorium imposed in February, 1969, relative to certain security investigations of individuals. Questions posed by the March 31, 1970 memorandum and related letter to all offices dated April 2, 1970 (copy attached) have been looked into in connection with the current inspection of the Domestic Intelligence Division. Inspection Division recommends that moratorium be continued until 1/1/71.

BACKGROUND:

On February 27, 1969, the Executives Conference approved a 6-month suspension of investigations in certain specified Security Matter - Communist cases and in the preparation of reports in cases involving Priority II and Priority III, Security Index subjects. This moratorium, which was imposed as a temporary expedient to make additional investigative personnel available for organized crime investigations, was extended on September 17, 1969, for an additional 6 months.

The moratorium has not affected Priority I, Security Index subjects, i.e., hardcore national and state leaders of subversive groups, and individuals with no organizational affiliations who are believed to pose an imminent threat to the internal security. Matters involving Priority II subjects (currently 2065 in that category), individuals considered to be less influential in subversive organizations and/or who hold positions of lesser influence, were affected by the moratorium in that verification of residence and employment was not required and the submission of reports was suspended. Cases relative to individuals in Priority III (representing about 8,286 cases), the category of Security Index subjects considered to be least dangerous, were affected by the moratorium in that these cases were not reopened and verification of residence and employment of the subjects was not conducted.

It is the view of the Domestic Intelligence Division that the revoking of the moratorium is desirable at this time in order to help regulate the size of the Security Index, in order that the whereabouts of the subjects of Priorities II and III may be brought up to date, and in order that the Department and other Government agencies with an interest may receive dissemination of information developed relative to current subversive activities of the subjects of Priority II cases.

Enclosures

100-358086-4021

Memo for Mr. Tolson

Re: Security Investigations of Individuals

OBSERVATIONS:

The setting of the moratorium on February 27, 1969, and its subsequent 6-month extension in September, 1969, have resulted in a cessation in the dissemination of reports relative to the over 2000 individuals who make up the secondary level of leadership in various subversive organizations. Further, imposition of the moratorium has caused the field to cease verifying the whereabouts of Priorities II and III subjects. However, in spite of the moratorium, the field has in many instances remained cognizant of the current whereabouts of those subjects through established sources, and, of course, it might be expected that the whereabouts of many of the subjects has remained unchanged through the moratorium period.

The rescinding of the moratorium would result in requiring the preparation and submission of reports in all Priority II cases (there are 2065 such cases) in which additional pertinent information had been developed since submission of the prior report, and would require the preparation and submission of an approved form or other correspondence in other instances. Further, lifting of the moratorium would cause the field to initiate investigation to verify the current whereabouts of the subjects in Priorities II and III (10,351 cases).

Subsequent to the initiation of the moratorium, approval was given, with the written concurrence of the Department, that the writing of reports on Priority III subjects would be suspended. The appreciable savings of Agent, stenographic and clerical man hours which resulted from this change would not be affected by a continuation of the moratorium, since reports on individuals in the Priority III category would still not be required.

The foregoing would indicate that the lifting of the moratorium would require the assignment of additional personnel to the Security Index program throughout the field, and that the additional communications generated in the field would impose an additional work load on Seat of Government clerical and supervisory personnel.

Rescinding the moratorium would increase the work load, both in the field and at Seat of Government. In view of additional manpower requirements relative to the Bureau's intensification of investigations of New Left terrorists, it would not appear that the rescinding of the moratorium is justified or advisable at this time. This intensification ordered by the Director will require a considerable manpower commitment and make necessary the reassignment of personnel, both in the field and at the Seat of Government, to this area of emphasis. Accordingly, the streamlining effect which has resulted from the imposition of the moratorium should be continued.

Memo for Mr. Tolson
Re: Security Investigations of Individuals

RECOMMENDATION:

That the moratorium be continued until 1/1/71 at which time it can again be re-evaluated.

ADDENDUM: DOMESTIC INTELLIGENCE DIVISION 4/20/70

As we pointed out to the Inspector, the Department, which has the over-all responsibility for the administration of the Security Index Program, has not been advised as to this moratorium; nor has Secret Service, which receives the reports and current information as to the residence and employment of Security Index subjects.

If the above recommendation is approved, it is further recommended that the Department and Secret Service be advised by letter of the moratorium until 1/1/71 in view of the high priority need for manpower on investigations concerning organized crime and the intensification of investigations of New Left terrorists.

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHC

Assistant Attorney General
Internal Security Division

April 27, 1970

Director, FBI

**PROGRAM FOR APPREHENSION AND
DETENTION OF PERSONS CONSIDERED
POTENTIALLY DANGEROUS TO THE
NATIONAL DEFENSE AND PUBLIC
SAFETY OF THE UNITED STATES**

The intensification of investigative responsibilities in connection with organized crime matters and the activities of New Left terrorists has resulted in an increased manpower burden being placed on this Bureau.

Accordingly, it has been necessary to make several changes in the reporting of information concerning Security Index (SI) subjects who are included under the captioned program. These changes, set forth as follows, will remain in effect until January 1, 1971, when the situation will be reevaluated.

No reports concerning those SI subjects designated as Priority II will be prepared during this period. Further, no investigation will be instituted for the purpose of verifying the current residence and employment of subjects designated as Priority II or Priority III.

The foregoing changes do not affect the handling of those cases concerning subjects designated as Priority I.

100-358086-4021

Date: May 4, 1970

To: Director, United States Secret Service
Department of the Treasury

From: John Edgar Hoover, Director

Subject: SECURITY INVESTIGATIONS OF INDIVIDUALS

The intensification of investigative responsibilities in connection with organized crime matters and the activities of New Left terrorists have resulted in an increased manpower burden being placed on this Bureau.

In connection with the above, it has been necessary to make changes regarding the submission of reports in routine security matter investigations. In addition, routine investigations will not be instituted for the purpose of verifying current residence and employment of security subjects. These changes will remain in effect until January 1, 1971, when the situation will be reevaluated.

As you are aware, copies of reports relating to security subjects have been furnished to you. You have also been advised when a change occurred in the residence and/or employment of these subjects. This information has been forwarded to you in order to assist your agency in fulfilling its responsibilities.

In view of the changes in our investigative procedures, such information will no longer be furnished on a periodic basis. In the event pertinent information does come to the attention of this Bureau regarding these security subjects, you will, of course, be advised.

100 - 358086 - 4021

MDR-14

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP9 AKM/EHL

UNITED STATES GOVERNMENT

Memorandum

Mr. C. D. Brennan

DATE: 7/28/70

R. D. Cotter

MDR-14

SECTION 87
MANUAL OF INSTRUCTIONS (MOI)
SECURITY INVESTIGATIONS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP 2 AXM/EHL

Current MOI chapter on security investigations is extremely lengthy (110 pages) and cumbersome. This section, which governs a substantial part of our security work, including investigations of Marxist-Leninist organizations and front groups, New Left organizations, and Security Index subjects, has not been overhauled for more than 15 years, and it is seriously in need of streamlining, updating, and reorganizing.

For the past several months, as time has permitted, this entire section has been reviewed, streamlined, and reorganized by Supervisor John E. Keating of the Research Section who has worked closely with knowledgeable supervisors throughout the Division in connection with this project. This project has now been completed and there is attached a revised Section 87 which it is believed is far better organized and will prove more useful and more readable both to Agents in the field and to our supervisory staff. Not only is the revised section much shorter than the current version (less than half in length), but it has also been organized with a view to providing maximum convenience in locating subject matter and in combining related topics which are not scattered throughout this section.

The following specific changes have been made in connection with this project:

1. All of the pertinent material relating to applicable statutes has been combined in the initial section of the chapter. Heretofore, pertinent statutes had been scattered throughout the section. At the same time, we have considerably streamlined the statutory information especially to eliminate portions of the Smith Act of 1940 and the Internal Security Act of 1950 which have recently been declared unconstitutional. Based on recent court decisions declaring these statutes invalid, we have also deleted references to the National Defense Education Act of 1958, the National Science Foundation Act of 1950, and the statute concerning the right to strike against the Government.

100-60-1516

Memorandum to Mr. W. C. Sullivan
RE: SECTION 87
MANUAL OF INSTRUCTIONS (MOI)
SECURITY INVESTIGATIONS

2. We have substantially streamlined the current provisions (87C) relating to investigations and reports on the Communist Party, USA, and other Marxist-Leninist groups to eliminate redundancies of verbiage and repetition.

3. We have broken down current Section 87D (relating to security investigations of individuals) into a number of more meaningful and clearly defined subsections. Currently, 87D runs to some 80 pages and is most unwieldy and complicated. In our rewritten chapter we have broken this lengthy section down into such categories as policies and objectives, procedures, techniques, administrative procedures, and dissemination.

4. Throughout the entire chapter we have used streamlined wording, eliminated repetition and verbiage, and sought to organize the material under well-defined and meaningful subheadings.

5. A table of contents has been prepared for the entire chapter. Currently the chapter contains only a table of contents with regard to 87D.

This rewritten version of Section 87 has been reviewed and approved by the Internal Security Section which handles the bulk of investigations involved. Pertinent portions have also been reviewed and cleared by the Nationalities Intelligence Section (Cuban matters) and the Racial Intelligence Section (communist infiltration of racial matters and black nationalist investigations). No policy changes have been made in revised version with exception of those enumerated above.

ACTION:

That attached rewritten version of Section 87 be approved. Arrangements will be made so that when this Manual change is issued, an SAC Letter will be prepared advising the field of the major changes. At the same time, necessary changes in the FBI Handbook will be separately submitted.

The Acting Attorney General

April 28, 1972

Director, FBI

MDR-16#

CHARACTER OF COMMUNICATIONS
SECURITY MATTER AND INTERNAL
SECURITY MATTER CATEGORIES

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DATE 10/5/00 BY SP2 ALM/EHL

It has become increasingly apparent that the term "New Left" is not entirely applicable to the current broad-based, anti-Government revolutionary movement. In addition to the predominantly campus-based militant revolutionaries who comprise the so-called New Left movement, we are also concerned with other violence-prone revolutionary groups not actually affiliated with the New Left movement. The term "New Left" as used by the press and understood by the general public does not depict the adherents as the militant, violence-prone revolutionaries with whom we are concerned in our current investigations. Accordingly, the descriptive character of communications regarding investigations of individuals and organizations previously referred to as "New Left" will, in the future, be carried as "Revolutionary Activities."

1 - The Deputy Attorney General

1 - Assistant Attorney General
Civil Rights Division

1 - Assistant Attorney General
Criminal Division

1 - Assistant Attorney General
Internal Security Division

100-00-1529

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Marshall

FROM : P. F. O'Connell

DATE: 3/20/73

MDR-16

ALL INFORMATION CONTAINED
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DATE 10/5/00 BY SP2 ALM/ETH

SUBJECT: PROPOSED DESTRUCTION OF FILES IN THE
100 (INTERNAL SECURITY) AND 105 (INTERNAL
SECURITY MATTERS) CLASSIFICATION
CONTAINING VALUELESS FILE MATERIAL
BY THE RECORDS DISPOSAL COMMITTEE
FILES AND COMMUNICATIONS DIVISION

The purpose of this memorandum is to recommend the destruction of files in the 100 (Internal Security) and 105 (Internal Security or Security Matters - Nationalistic Tendencies other than Domestic) Classifications containing record material which no longer possess sufficient historical, investigative, intelligence, and reference value to merit retention.

The Records Disposal Committee, Files and Communications Division, conducted a survey of our records holdings in the 100 and 105 Classifications which revealed that files over 25 years old occupy 585 six drawer cabinets (100's occupy 565 cabinets and 105's occupy 20 cabinets). A cross section analysis of these files revealed that cases occupying approximately 350 cabinets relate to alleged Espionage, Sedition, Sabatoge, Hatch Act, and Internal Security Violations as well as alleged subversive activity, subversive tendencies, sympathizers, members of subversive organizations, suspicious activities, recipient of funds from foreign sources and miscellaneous matters in which no violations are present and the allegations were unfounded.

Also numerous files in the 100 Classification were opened on outgoing letters to Field Offices based upon excerpts from other Bureau files pertaining to subscribers to the Daily Worker or publications of a similar nature and/or alleged membership in or affiliation with subversive organizations. No further correspondence appears in these files, therefore, all information will be available in the original Bureau case file after these are destroyed.

U.R. (below 100-00-1531)

origin in 62-3226-1126

1 - Intelligence Division

Memorandum P. F. O'Connell to Mr. Marshall

Re: PROPOSED DESTRUCTION OF FILES IN THE 100 (INTERNAL SECURITY)
AND 105 (INTERNAL SECURITY MATTERS) CLASSIFICATION CONTAINING
VALUELESS FILE MATERIAL BY THE RECORDS DISPOSAL COMMITTEE

Files, which will be considered for destruction, contain valueless information comprised principally of initial correspondence, and preliminary reports or letters. They were opened based upon rumor, personal grievances, suspicions, non-specific allegations, nebulous information or foreign publications mostly during World War II, for record or informational purposes. All of this material has been extensively de-indexed and files which will be destroyed do not contain any information reflecting unfavorably upon the character, loyalty or associates of the subjects in the title or persons named therein. Approximately 350 six drawer file cabinets of badly needed filing space will be reclaimed. The destruction of these files will be handled on a most selective basis by experienced Records Branch Personnel and will in no way adversely affect the Bureau's operations or its responsibilities in the Name Check field.

The proposed destruction will include material in the 100-0 general file and in the 100-0 Sub A file, where applicable. Archival Authority is required for the destruction of original record material and will be requested by separate memorandum.

It is noted that this proposal is very similar in nature to a recent proposal involving files in the 65 (Espionage) Classification, which was approved by the Bureau in memorandum P. F. O'Connell to Mr. Marshall dated 8/11/72. Archival Authority was granted on 9/12/72 for the destruction of the valueless Espionage file material.

It is recommended that this proposal be referred to the Intelligence Division for its evaluation and comments.

RECOMMENDATION:

That approval be granted for the destruction of files in the 100 and 105 classifications in accordance with the above guidelines in cases over 25 years old. If approved, appropriate Archival Authority will be obtained.

ADDENDUM INTELLIGENCE DIVISION 4/3/73

Attached to this Addendum is a list furnished by the Files and Communications Division of the files being considered for destruction. A review was made of a random sampling of these files (those checked in red on the list; one of each general type; total of thirty files). The sample review bears out the conclusion of the Files and Communications Division that these files have no apparent historical, investigative, intelligence or reference value which would merit their retention. The Intelligence Division concurs in the recommendation of the Files and Communications Division that such files be destroyed after receipt of Archival authorization for such disposal, provided that each and every file to be destroyed is first individually reviewed by experienced Records Branch personnel to ensure they meet the destruction criteria and that their destruction will in no way adversely affect the Bureau's operations or its responsibilities in the name check or security field. It is recommended however, that General Investigative Division (Name Check Section) concurrence be also obtained.

Attachment

ADDENDUM: GENERAL INVESTIGATIVE DIVISION
4-6-73,

The Name Check Section presently reviews various files of reference to select information of pertinency in responding to name check requests from various executive agencies and others. In general, files containing non-derogatory information or no information of intelligence value are eliminated upon review. Therefore, the authorized destruction of any files having no apparent historical, investigative, intelligence or reference value should not have any effect upon responsibilities of the Name Check Section.

It would appear that any determination as to selectivity of files for destruction should be made by the Substantive Desk having supervisory responsibility for the files. Therefore, the Name Check Section, which performs a servicing function in connection with review of Bureau files, defers to the judgment of the Files and Communications and Intelligence Divisions.

UNITED STATES GOVERNMENT

Memorandum

TO: Mr. E. S. Miller

DATE: 6/8/73

FROM: T. J. Smith

SUBJECT: REVISION SECTION 87
MANUAL OF INSTRUCTIONS

MDR-16
ALL INFORMATION CONTAINED
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DATE 10/5/00 BY SP2 AKM/EHL

A recent proposed revision of Section 87 of the Manual of Instructions (MOI) has been approved and is in the process of being printed.

This revision makes reference to an MOI appendix enumerating statutes, evidence of violations of which may be developed during investigations of domestic subversive organizations and individuals and foreign counterintelligence investigations.

All personnel conducting these types of investigations should be aware of these statutes and alert for evidence of such violations.

Attached is proposed appendix.

ACTION:

Attached be approved and prepared for Manual of Instructions along with approved Section 87 revision.

Enclosure

U.R. (below 100-00-1532)

original in 66-1934-8129

MDR-14

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APPENDIX

Evidence of violations of the following statutes may be developed during investigations of domestic subversive organizations, and individuals and foreign counterintelligence investigations. All personnel engaged in such investigations should be aware of these statutes. Refer to the United States Code Annotated for full presentation of the statute and its judicial case history.

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MDR-16
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ACTIVITIES AGAINST FOREIGN GOVERNMENTS

18 U.S.C. 956. Conspiracy to Injure Property of Foreign Governments

Prohibits conspiracies of two or more persons within the jurisdiction of the United States to injure or destroy any railroad, canal, bridge, or other public utility or specific property situated in a foreign country and belonging to a foreign government or political subdivision thereof with which the United States is at peace. Commission of an act within the jurisdiction of the United States by one or more of the conspirators to effect the object of the conspiracy penalizes each of the parties to the conspiracy.

18 U.S.C. 958. Commission to Serve Against a Friendly Nation

Prohibits any United States citizen within the jurisdiction of the United States from accepting and exercising a commission to serve a foreign prince, state, colony, district or people, in war against any prince, state, colony, district or people with whom the United States is at peace.

18 U.S.C. 959. Enlistment in Foreign Service

Prohibits anyone in the United States enlisting or entering himself or hiring another to enlist or enter, or leaving the jurisdiction of the United States with intent to enter or enlist in the military service of any foreign power.

18 U.S.C. 960. Expedition Against Friendly Nation

Prohibits anyone in the United States from knowingly taking part in or supporting any military or naval expedition or enterprise against the territory or dominion of any foreign power with whom the United States is at peace.

18 U.S.C. 961. Strengthening Armed Vessel of Foreign Nation

Penalizes anyone in the United States who strengthens any armed vessel in the service of any foreign power which is at war against any foreign power with whom the United States is at peace.

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18 U.S.C. 962. Arming Vessel Against Friendly Nation

Penalizes:

(1) Anyone within the United States who attempts to or does arm any vessel, with the intention that the vessel shall be employed by a foreign power, to commit hostilities against any foreign power with whom the United States is at peace, or

(2) anyone who commissions any vessel with the above intent.

Bureau Classification 2
Manual of Instructions

Volume III, Section 75

ADVOCATING THE OVERTHROW
OR DESTRUCTION OF THE GOVERNMENT;
OPPOSING BY FORCE THE AUTHORITY OF THE
GOVERNMENT; RELATED ACTIVITIES

18 U.S.C. 2381. Treason

Penalizes anyone who, owing allegiance to the United States, levies war against the United States or adheres to their enemies giving them aid and comfort within the United States or elsewhere.

Note that this codifies the crime of treason as defined in the Constitution. It does not extend or restrict or provide a new definition for the crime of treason.

Bureau Classification 61
Manual of Instructions

Volume IV, Section 95

18 U.S.C. 2382 Misprision of Treason

Penalizes anyone who owing allegiance to the United States and having knowledge of the commission of treasonable acts conceals and does not disclose such information to an appropriate official.

Bureau Classification 61
Manual of Instructions

Volume IV, Section 95

18 U.S.C. 2383. Rebellion or Insurrection

Penalizes anyone who incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto.

Bureau Classification 100
Manual of Instructions

Volume III, Section 87

18 U.S.C. 2384. Seditious Conspiracy

Penalizes each member of a conspiracy involving two or more persons in any State or Territory, or in any place subject to their jurisdiction, who conspires to overthrow the Government of the United States, levy war against them, oppose by force the authority thereof, or by force prevent, hinder, or delay the execution of any law of the United States or by force seize, take or possess any property of the United States contrary to the authority thereof.

Bureau Classification 100
Manual of Instructions

Volume III, Section 87

18 U.S.C. 2385. Advocating Overthrow of Government
(The Smith Act)

Penalizes (1) anyone who knowingly and willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States, any State, Territory, District or Possession of the United States, by force or violence or by assassination of any officer of such government; (2) anyone who with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter, advocating, advising or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; (3) anyone who organizes, helps or attempts to organize any society, group or assembly to engage in above-

listed activities or becomes a member of, or affiliates with such a group knowing its purpose to be overthrow of the government by force or violence; (4) anyone participating in a conspiracy to commit any above-named activities.

Bureau Classification 100
Manual of Instructions

Volume III, Section 87

ANTIRIOT LAWS

18 U.S.C. 2101. Riots

Prohibits travel in or use of interstate or foreign commerce with intent to incite a riot or organize, promote, encourage, participate in or carry on a riot, or commit any act of violence in furtherance of a riot, or aid or abet any person in inciting or participating in a riot, or perform or attempt to perform any overt act to incite or participate in a riot.

18 U.S.C. 2102. Definitions

(a) "Riot" herein means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons which act or acts constitute a clear and present danger of or shall result in damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of or would result in damage or injury to the property of any other person or to the person of any other individual.

(b) The term "to incite to riot" or "to organize, promote, encourage, participate in, or carry on a riot" includes but is not limited to urging or instigating others to riot. It is not deemed to mean the mere oral or written advocacy of ideas or expression of belief.

18 U.S.C. 231. Civil Disorders

Prohibits:

(1) Teaching or demonstrating to any other person the use, application or making of any firearm, explosive or incendiary device, or technique capable of causing death or injury with knowledge or intention that they will be used in a civil disorder affecting commerce or a federally protected function;

(2) Transportation or manufacture for transport in commerce any such firearm, explosive or incendiary device, with knowledge or intention that the same will be used unlawfully in furtherance of a civil disorder;

(3) Interference or attempts to interfere with any fireman or law enforcement officer engaged in the performance of his duties during a civil disorder which affects commerce or any federally protected function.

18 U.S.C. 232. Definitions of "Civil Disorder," "Commerce," "Federally Protected Function," "Firearm," "Explosive or Incendiary Device," "Fireman," and "Law Enforcement Officer."

18 U.S.C. 233. Preemption

Congress did not preempt this field to the exclusion of State or local laws and no provision of this statute is to be construed to invalidate any State law unless the State law is inconsistent with the purpose of this statute.

Bureau Classification 176
Manual of Instructions

Volume IV, Section 136

ATOMIC ENERGY ACT OF 1954

Unless authorized by the U. S. Atomic Energy Commission or under international agreement, the Act prohibits the activities enumerated in 42 U.S.C. 2077, 2122, 2131 below:

42 U.S.C. 2077. Unauthorized Dealings in Special Nuclear Material

(a) Transferring or receiving in interstate commerce or transferring, delivering, acquiring, owning, possessing, or receiving possession of or title to, or importing into or exporting from the United States any special nuclear material;

(b) Engaging in the production of any special nuclear material outside the United States;

42 U.S.C. 2122. Prohibitions Governing Atomic Weapons

Transferring or receiving in interstate or foreign commerce or manufacturing, producing, transferring, acquiring, possessing, importing or exporting any atomic weapon.

42 U.S.C. 2131. Production Facility

Transferring or receiving in interstate commerce, manufacturing, producing, transferring, acquiring, possessing, using, importing or exporting any utilization or production facility.

42 U.S.C. 2138. Suspension of Licenses During War or National Emergency

The Atomic Energy Commission, whenever Congress declares that a state of war or national emergency exists is authorized to suspend any license, to recapture special nuclear material and to order the operation of any licensed facility.

42 U.S.C. 2165. Security Restrictions

(d) Investigations by the FBI

If a personnel investigation of an Atomic Energy employee develops any information that such individual is of questionable loyalty, the matter must be referred to the FBI for a full field investigation.

(e) FBI investigation of any individual to be employed or licensed by the Atomic Energy Commission may be required by the President.

(f) The FBI is required to investigate individuals to be named to positions with a high degree of importance or sensitivity with the Atomic Energy Commission.

RESTRICTED DATA

"Restricted Data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy. Anyone with the intent or reason to believe that the U. S. will be injured or a foreign nation be given an advantage is prohibited from:

42 U.S.C. 2274, 5, 6, 7. Communicating, Transmitting or Disclosing Restricted Data to Any Person; Acquiring Restricted Data; Tampering with Restricted Data; or Disclosing Restricted Data to One Known or Believed Not to Be Authorized to Receive It

42 U.S.C. 2278a. Trespass Upon Commission Installations; Issuance and Posting of Regulations

Prohibits willful violations of entry and other regulations of Atomic Energy Commission facilities.

42 U.S.C. 2278b. Photographing, etc., of Commission Installations

Prohibits photographing, sketching, etc., of Atomic Energy Commission installations or facilities, information about which is protected against general dissemination.

Bureau Classification 117
Manual of Instructions

Volume II, Section 20

BOMB THREATS - BOMBINGS -
INTERSTATE TRANSPORTATION OF EXPLOSIVES

The FBI and the Treasury Department have concurrent jurisdiction by statute; however, the Department of Justice has established guidelines providing that the FBI will handle subsections (e), (f) and (g), Treasury will handle subsections (d) and (i), and subsection (h) will be handled by the agency having jurisdiction over the underlying felony. Violations directed against diplomatic functions will be handled by the FBI. Each agency handles violations directed at its own functions, and postal authorities handle violations directed against that agency's functions as well as matters involving explosives sent through the mail.

18 U.S.C. 844. Prohibits:

- (d) Interstate transportation of explosives or incendiary devices with intent to injure or intimidate a person or damage property.
- (e) Use of telephone, mail or other instrument of commerce to transmit a bomb threat.
- (f) Use of explosives or incendiary devices to damage any property owned or used by the U.S. Government or any institution or organization receiving Federal financial assistance.
- (g) Unauthorized possession of explosives or incendiary devices in a building owned or used by the U. S. Government.
- (h) Carrying or using explosives or incendiary devices during the commission of any Federal felony.
- (i) Use of explosives or incendiary devices to damage any property used in an activity affecting interstate commerce.

Bureau Classification 174
Manual of Instructions

Volume II, Section 23

CIVIL RIGHTS

18 U.S.C. 245. Federally Protected Activities

Prohibits willful injury or interference with
(1) persons in the exercise of certain enumerated rights
by force or threat of force, whether or not the offenders

are acting under color of law; (2) persons voting in any election, participating in benefits of Federal programs or facilities, applying for or enjoying Federal employment or serving as Federal jurors; (3) persons on account of their race, color, religion, or national origin who attend public schools or colleges, participate in State or local government programs or facilities, apply for and enjoy private or State employment, serve as State jurors, use the facilities of interstate commerce, or patronize enumerated places of public accommodation; (4) persons who afford others opportunity to participate in the activities listed above; (5) persons not participating, for the purpose of intimidating those who are participating, in the above-mentioned activities; and (6) persons participating in a speech or peaceful assembly opposing denial of opportunity to participate in these activities.

Bureau Classification 44
Manual of Instructions

Volume II, Section 27

CRIMES ON GOVERNMENT RESERVATIONS

18 U.S.C. 13. Laws of States Adopted for Areas within Federal Jurisdiction

Makes the criminal law on a government reservation conform to local law except when a particular act has been defined as a federal offense.

18 U.S.C. 81. Arson within Special Maritime and Territorial Jurisdiction

Penalizes anyone who, within the special maritime and territorial jurisdiction of the United States, willfully and maliciously attempts to, or sets fire to or burns any building, structure or vessel, any machinery or building materials or supplies, military or naval stores, munitions of war, or any structural aids or appliances for navigation or shipping.

Penalty is increased if the building is a dwelling or if the life of any person is placed in jeopardy.

Bureau Classification 70
Manual of Instructions

Volume II, Section 33

DESECRATION OF U. S. FLAG

18 U.S.C. 700. Desecration of The Flag of the United States

Prohibits anyone from knowingly casting contempt upon the United States flag, standard, colors, ensign, or any picture or representation of either by publicly mutilating, defacing, defiling, burning, or trampling upon it.

Bureau Classification 180
Manual of Instructions

Volume IV, Section 138

DESTRUCTION OF GOVERNMENT PROPERTY

18 U.S.C. 1361. Government Property or Contracts

Penalizes anyone who willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof.

Bureau Classification 52
Manual of Instructions

Volume II, Section 50

ESPIONAGE

18 U.S.C. 792. Harboring or Concealing Persons

Penalizes anyone who harbors or conceals any person who he knows, has reasonable grounds to believe or suspect, has committed, or is about to commit a violation of the Espionage statute.

18 U.S.C. 793. Gathering, Transmitting, or Losing Defense Information

Prohibits anyone with intent or reason to believe that the U. S. will be injured or a foreign nation will be given an advantage thereby from:

- (a) Obtaining information concerning facilities, equipment, etc., related to the national defense;
- (b) Obtaining enumerated items, e.g., copies, sketches, photographs, etc., of anything connected with the national defense.
- (c) Receiving, obtaining, or agreeing to obtain enumerated items, e.g., documents, code books, etc., related to the national defense.
- (d) Willfully making available items related to the national defense by one lawfully entitled to have access to them to one not authorized to receive them, or to willfully keep such items from one entitled to receive them.
- (e) Willfully making available items related to the national defense by one whose access to such items is unauthorized to one not authorized to receive them, or to willfully keep such items from one entitled to receive them.
- (f) Allowing items related to the national defense in his lawful custody to be removed, lost, destroyed, etc., or fails to report such occurrence.
- (g) Conspiring to violate the above provisions.

18 U.S.C. 794. Gathering or Delivering Defense Information to Aid Foreign Government

Penalizes anyone who with intent or reason to believe that it is to be used to the injury of the United States or advantage of a foreign nation attempts to or transmits to any foreign power any of the enumerated items including any document, writing, note or information relating to the national defense.

Penalizes anyone, who in time or war, with intent that it shall be communicated to the enemy, collects, records, publishes or communicates or attempts to gather any information regarding the Armed Forces, or information relating to the national defense which might be useful to the enemy.

18 U.S.C. 795. Photographing and Sketching Defense Installations

Prohibits the making of any photograph, sketch, picture, drawing, map, or graphical representation of military and naval installations and equipment designated by the President as requiring protection from general dissemination.

18 U.S.C. 796. Use of Aircraft for Photographing Defense Installations

Penalizes the use of aircraft for the activities enumerated in 18 U.S.C. 795.

18 U.S.C. 797. Publication and Sale of Photographs of Defense Installations

Prohibits the reproduction, publication, sale or giving away of any photograph, sketch, or other graphical representation of any military or naval installation or equipment defined by the President as requiring protection against general dissemination of information.

18 U.S.C. 798. Disclosure of Classified Information

Penalizes anyone who knowingly and willfully communicates, furnishes, transmits or otherwise makes available to an unauthorized person, or publishes, or uses in any manner prejudicial to the United States' interest or safety or, uses for the benefit of a foreign government any classified information concerning communication systems or intelligence.

18 U.S.C. 799. Violation of Regulations of National Aeronautics and Space Administration

Penalizes any conspiracy to violate or any violation of any regulations or orders of the National Aeronautics and Space Administration for the protection or security of any laboratory, station, base or facility or part of any of these, or any aircraft, missile, spacecraft or similar vehicle or part of any of these or any property or equipment of this agency or any real or personal property, or equipment held by a contractor under a contract with the National Aeronautics and Space Administration.

ESPIONAGE

50 U.S.C. 783. Conspiracy or Attempt to Establish Totalitarian Dictatorship

Prohibits:

(a) Any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship which would be under the direction, control, or domination of any foreign government, organization or individual.

(b) Any United States employee from communicating any classified information affecting the security of the United States to a person who is known to be a representative of foreign government or an officer or member of a Communist organization.

(c) Any agent or representative of a foreign government or member or officer of a Communist organization from knowingly attempting to or obtaining or receiving any classified information affecting the security of the United States from any United States government employee.

Bureau Classification 65
Manual of Instructions

Volume II, Section 36

FIREARMS ACTS

National Firearms Act

26 U.S.C. 5812. Transfers

The transfer of a firearm requires a written application to the Secretary of the Treasury for the transfer and registration to the transferee. The application must contain identification of the transferor, transferee, and firearm involved.

26 U.S.C. 5822. Making Firearms

Requires that any prospective maker of a firearm must file with the Secretary of the Treasury a written application indicating his intent to make a firearm. The application must contain the identification of the firearm, the identity of the prospective maker including his photograph and fingerprints, the proper stamp showing that the tax imposed by this provision has been paid.

26 U.S.C. 5842. Identification of Firearms, other than Destructive Devices

Manufacturers and importers of firearms other than destructive devices are required to identify such items by serial number or as otherwise prescribed.

26 U.S.C. 5845. Definitions of Various Firearms and Destructive Devices

26 U.S.C. 5861. Prohibited Acts

(a) to engage in business as a manufacturer or importer of, or dealer in firearms without having paid the required tax or having registered as required by this chapter;

(b) to receive or possess a firearm transferred in violation of requirements of this chapter;

(c) to receive or possess a firearm made in violation of this chapter;

(d) to receive or possess an unregistered firearm;

(e) to transfer a firearm without complying with requirements of this chapter regarding transfer;

(f) to make a firearm without complying with the requirements of this chapter;

(g) to obliterate, remove, change, or alter the serial number or other identification of a firearm required by this chapter;

(h) to receive or possess a firearm having the serial number or other identification required under this chapter obliterated, removed, changed, or altered;

(i) to receive or possess a firearm not identified by a serial number as required;

(j) to transport, deliver, or receive any firearm in interstate commerce which has not been registered according to regulations of this chapter;

(k) to receive or possess a firearm which has been imported or brought into the United States for the use of the United States or any United States department, independent establishment, or agency of the United States, or any State or possession or political subdivision of such State or possession; or for scientific or research purposes; or solely for testing or use as a model by a registered manufacturer or solely for use as a sample by a registered importer or dealer. Exception: The Secretary of the Treasury may permit the conditional importation or bringing in of a firearm for examination and testing in connection with classifying the firearm;

(l) to make any false entry on any application, return or required record, knowing such entry to be false.

State Firearms Control Assistance Act

This act deals primarily with the interstate transportation of firearms.

18 U.S.C. 921. Definitions of Act Terms

18 U.S.C. 922. (a) Unlawful Acts

(1) Engaging in the business of importing, manufacturing or dealing in firearms or ammunition without a license; shipping, transporting or receipt of any firearm or ammunition in interstate or foreign commerce by an unlicensed person.

(2) Interstate shipment of any firearms or ammunition by a licensee to anyone other than another licensee, with certain exceptions.

(3) Transporting or receiving by a non-licensee in the State of his residence any firearm purchased or obtained by him outside his state.

(4) Transporting destructive devices and National Firearms Act weapons by other than a licensed importer, licensed manufacturer, licensed dealer or licensed collector in interstate or foreign commerce, except as authorized by the Secretary of the Treasury.

(5) Transferring, selling, trading, giving, transporting or delivering a firearm by an unlicensed person to another unlicensed person who resides in another state.

(6) Knowingly making any material false statement or use of any deceitful practice to attempt to or to acquire a firearm or ammunition.

(b) Prohibitions Applicable Only to Licensees

(1) Sale or delivery by a licensee of any firearm, other than a shotgun or a rifle, or ammunition for a firearm other than a shotgun or rifle to anyone less than twenty-one years old.

Sale or delivery by a licensee of any firearm, or ammunition to anyone less than 18 years of age.

(2) Selling or delivering any firearm or ammunition to an unlicensed person if the licensee has reasonable cause to believe the purchase or the possession of the firearm or ammunition would be in violation of State or local law.

(3) Selling a firearm to an out-of-State unlicensed resident except that this section does allow a licensee to sell or deliver a shotgun or rifle to a resident of a State contiguous to the State of the licensee's place of business if the purchaser's State of residence permits such sale or delivery by law and if the sale conforms to the laws of the both States.

(4) Delivering or selling a destructive device or a National Firearms Act weapon to any person unless authorized.

(5) Delivering or selling any firearm or ammunition without making a record of the name, age and residence of the purchaser.

(d) Prohibits a licensee from selling or otherwise disposing of any firearm or ammunition to any person who:

(1) is under indictment for, or has been convicted of a felony, or;

(2) is a fugitive from justice; or

(3) is an unlawful user of or addicted to marihuana or any depressant or stimulant drug or narcotic drug;

(4) has been adjudicated as a mental defective or has been committed to any mental institution.

(e) Prohibits anyone from knowingly delivering to a common carrier for transportation or shipment in interstate or foreign commerce to other than licensees any container in which there is any firearm or ammunition without furnishing to the carrier written notice that such is being transported or shipped.

This section provides that any passenger who owns or legally possesses a firearm or ammunition transporting such items aboard a common carrier for movement with the passenger in interstate or foreign commerce may deliver such items to the pilot, captain, conductor or operator of the common carrier for the duration of the trip and will thus not be in violation of this section.

(f) ^{Prohibits} Prohibits any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that its transportation or receipt would be in violation of this statute.

(g), (h) Prohibits the shipping, transporting, or receipt of any firearm or ammunition in interstate or foreign commerce by anyone who;

(1) is under indictment, or is a felon, or;

(2) is a fugitive from justice or;

(3) is an unlawful user of or addicted to marihuana or any depressant or stimulant drug or narcotic drug; or

(4) has been adjudicated as a mental defective, or who has been committed to a mental institution.

(i) Prohibits anyone from transporting a stolen firearm or ammunition in interstate or foreign commerce knowing or having reasonable cause to believe it was stolen.

(j) Prohibits any person from receiving, concealing, storing, bartèring, selling or disposing of any stolen firearm or stolen ammunition or from pledging or accepting as security for a loan any stolen firearm or stolen ammunition, which is moving as or is a part of interstate or foreign commerce, having reasonable cause to believe or knowledge that the firearm or ammunition was stolen.

(k) Prohibits anyone knowingly from transporting, shipping or receiving, in interstate or foreign commerce, any firearm from which the manufacturer's or importer's serial number has been removed, obliterated, or altered.

(l) Prohibits anyone knowingly from importing or bringing into the United States or its possessions any firearms or ammunition in violation of provisions of this chapter, or from knowingly receiving any such firearm or ammunition so imported.

(m) Penalizes any licensee who knowingly makes a false entry in, or fails to make an appropriate entry in, or fails to maintain properly any record he is required to keep under this statute.

18 U.S.C. 924. Contains the Penalty and Forfeiture Provisions of Chapter

18 U.S.C. Appendix 1202 Receipt, Possession, Transportation
of Firearms; Persons Liable;
Penalties for Violations

Prohibits receipt, possession or transportation in commerce or affecting commerce, of any firearm by anyone who has been or is a knowing employee of anyone who has been convicted of a felony, or received a dishonorable discharge from the Armed Forces, or has been adjudged by a United States or State or local court of being mentally incompetent, or has renounced his United States citizenship or is an alien illegally or unlawfully in the United States.

Bureau Classification 4
Manual of Instructions

Volume III; Section 74

FRAUD AGAINST THE GOVERNMENT

18 U.S.C. 1001. Statements or Entries Generally

Provides criminal punishment for anyone who knowingly and willfully falsifies, conceals or covers up by any trick scheme or device a material fact or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing it to contain any false, fictitious or fraudulent statement or entry in any matter within the jurisdiction of the United States Government.

Bureau Classification 46
Manual of Instructions

Volume II, Section 47

INTERSTATE TRAVEL IN AID OF RACKETEERING

18 U.S.C. 1952. Interstate and Foreign Travel or
Transportation in Aid of Racketeering
Enterprises

Penalizes anyone who travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce with intent to (1) distribute the proceeds of any unlawful activity or (2) commit any crime of violence to further any unlawful activity or (3) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment or carrying on of any unlawful activity and performs or attempts to perform any of the above-listed activities.

"Unlawful activity" is defined as (1) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or prostitution offenses in violation of the laws of the State in which they are committed or of the United States or (2) extortion, bribery or arson in violation of the laws of the State in which committed or of the United States.

Bureau Classification 166
Manual of Instructions

Volume IV, Section 125

LOSS OF UNITED STATES NATIONALITY

8 U.S.C. 1481. Loss of Nationality by Native-born or Naturalized Citizen; Voluntary Action; Burden of Proof; Presumptions

Overt acts which when performed by an American citizen may cause termination of his citizenship:

- (1) obtaining naturalization in a foreign state;
- (2) taking an oath or making a declaration of allegiance to a foreign state;
- (3) serving in the armed forces of a foreign state without specific authorization;
- (4) accepting, serving in, or performing duties of any office, post or employment under the government of a foreign state if he has or acquires the nationality of such state or if an oath, affirmation or declaration of allegiance is required;
- (5) voting in a political election in a foreign state, participating in an election or plebiscite to determine sovereignty over foreign territory or making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign country;
- (6) making, in the United States, a formal written renunciation of nationality when the United States is in a state of war;
- (7) deserting the armed forces of the United States in time of war, if and when convicted by court martial and dismissed by reason of the conviction or dishonorably discharged;
- (8) committing any act of treason against, attempting by force to overthrow, or bearing arms against the United States, violating or conspiring to violate 18 U.S.C. 2383 (Rebellion or Insurrection), willfully performing any act in violation of 18 U.S.C. 2385 (Advocating Overthrow of the Government) violating 18 U.S.C. 2384 (Seditious Conspiracy) by engaging in a conspiracy to overthrow, put down or to destroy by force the Government of the United States, levy war against them, if convicted by a court martial or court or competent jurisdiction.

(9) departing from or remaining outside the jurisdiction of the United States in time of war or national emergency to evade U.S. military service.

8 U.S.C. 1482. Dual Nationals; Divestiture of Nationality

Provides that persons who at birth acquired dual nationality of the United States and of a foreign state, having claimed benefits of foreign nationality and having continuous residence of three years in the foreign state after he becomes twenty-two years of age loses U. S. citizenship unless during that three-year period of residence he takes oath of allegiance to the United States.

8 U.S.C. 1483. Restrictions on Expatriation

Provides that any national who within six months of his eighteenth birthday claims United States nationality in the appropriate manner even though he may have committed any of the acts outlined above which expatriate a national prior to his eighteenth birthday shall not be deemed to have expatriated himself.

8 U.S.C. 1485,6. Inapplicability of Section 1484 to Certain Persons

Sets forth those situations wherein a United States national does not lose his nationality although he has had extended residence abroad. Such situations include e.g., residence abroad because of employment by the United States Government; residence abroad representing a bona fide American organization; ill health, etc.

NEUTRALITY MATTERS

22 U.S.C. 1934. Munitions Control

This act, commonly known as Munitions Control Act, and regulations issued thereunder provide all persons engaged in manufacture, importation, or exportation of arms, ammunition, or implements of war must register with Department of State and secure a license from State Department to import or export these items.

22 U.S.C. 401. Illegal Exportation of War Materials - Seizure and Forfeiture of Materials and Carriers

Provides for the seizure of war materials or any vessel, vehicle or aircraft containing war materials, whenever there is probable cause to believe there is an attempt to export such items or they are intended to be or have been exported in violation of law. Such materials seized under this provision shall be forfeited.

Bureau Classification 2
Manual of Instructions

Volume III, Section 75

PRIVATE CORRESPONDENCE WITH FOREIGN GOVERNMENTS (THE LOGAN ACT)

18 U.S.C. 953. Private Correspondence with Foreign Governments (The Logan Act)

Penalizes any citizen of the United States who directly or indirectly communicates or carries on any correspondence or intercourse with any foreign government or its officer or agent with the intent to influence the measures or conduct of any foreign government or its officers or agents regarding any disputes or controversies with the United States or to defeat United States measures.

PROTECTION OF FOREIGN OFFICIALS AND OFFICIAL GUESTS OF THE UNITED STATES

This legislation provides the United States with concurrent jurisdiction with that of the States when certain prohibited acts are committed.

18 U.S.C. 1116. Murder or Manslaughter of Foreign Officials
or Official Guests

Makes murder or manslaughter of a foreign official, a member of his family, or an official guest a Federal offense.

18 U.S.C. 1201. Kidnaping

Makes the kidnaping of and conspiracy to kidnap a foreign official, a member of his family, or an official guest, a Federal felony.

Note: Federal jurisdiction arises immediately in the kidnaping of a foreign official or official guest. The victim need not be transported in interstate or foreign commerce.

18 U.S.C. 112. Protection of Foreign Officials and Official
Guests

(a) Penalizes anyone who assaults, strikes, wounds, imprisons, makes an offer of violence to any foreign official, or official guest.

(b) Penalizes anyone who willfully intimidates, coerces, threatens, or harasses a foreign official or an official guest or willfully obstructs a foreign official in the performance of his duties.

(c) Outside the District of Columbia, prohibits anyone from, within 100 feet of a foreign or international establishment or the residence of a foreign official, parading, picketing, displaying any flag, banner, sign, placard, or device, uttering any word, phrase, sound or noise for the purpose of intimidating; coercing; threatening; or harassing any foreign official or obstructing a foreign official in the performance of his duties.

18 U.S.C. 970. Protection of Property Occupied by Foreign Governments and International Organizations

Prohibits anyone from injuring, damaging, destroying, or attempting to injure, damage or destroy any real or personal property belonging to, utilized by, or occupied by a foreign government, international organization, foreign official or official guest.

Bureau Classification 185
Manual of Instructions

Volume IV, Section 146

PROTECTION OF UNITED STATES OFFICIALS
AND EMPLOYEES

18 U.S.C. 111. Assaulting, Resisting or Impeding Certain Officers and Employees

Penalizes anyone who forcibly assaults, resists, opposes, impedes, intimidates or interferes with specified United States Governmental officials who are engaged in or on account of his performance of official duties. Use of a deadly or dangerous weapon in the commission of any of the above acts increases the penalty.

18 U.S.C. 1114. Protection of Officers and Employees of the United States

This statute makes the killing of various enumerated Federal officers and employees a federal offense. Generally officers or employees covered are those engaged in the performance of investigative, inspection or law enforcement functions and includes United States judges, United States Attorneys, Assistant United States Attorneys, United States Marshals and Deputy Marshals, Federal Bureau of Investigation officers or employees.

The provisions of this law require that the attack occur while the victim is engaged in, or be on account of, the performance of his official duties. However, the official status of the victim is merely the basis on which Federal jurisdiction is asserted. Knowledge of the official status of the victim is not an element of the offense itself.

18 U.S.C. 2231. Assault or Resistance

Makes it a federal offense to forcibly assault, resist, oppose, prevent, impede, intimidate or interfere with any person authorized to serve or execute search warrants or to make searches and seizures while engaged in the performance of his duties or on account of his performance of such duties. Use of any deadly or dangerous weapon increases the penalty of fine and imprisonment.

18 U.S.C. 351. Congressional Assassination, Kidnaping, and Assault

Penalizes the killing, kidnaping or assaulting of a Member of Congress or Member-of-Congress-Elect and attempts to or conspiracies to commit above offenses.

Does not require that the offense occur while the victim is engaged in or be on account of the performance of his official duties.

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Volume II, Section 18

18 U.S.C. 1751. Presidential Assassination, Kidnaping, and Assault

Makes it a federal offense to attempt or to conspire to assault, or to kill or kidnap the President of the United States, the President-elect, the Vice President, the officer next in order of succession to the office of President, the Vice President-elect, or any individual who is acting as President under the Constitution and laws of the United States.

Bureau Classification 175
Manual of Instructions

Volume IV, Section 134

REGISTRATION ACTS

18 U.S.C. 951. Agents of Foreign Governments

Requires anyone, other than a diplomatic, or consular officer or attache, who acts in the United States as an agent of a foreign government to notify the United States Secretary of State.

22 U.S.C. 611 - 621. Foreign Agents Registration Act as Amended (The McCormack Act)

Provides that no person shall act as an agent of a foreign principal unless he has filed with the Attorney General a registration statement and supplements as required unless he is exempt from registration.

50 U.S.C. 851 - 858. Registration Act - Individuals with Knowledge of Espionage or Sabotage by Foreign Country

Requires that any person (with certain specified exemptions) who has knowledge of, received instruction or assignment in the espionage, counterespionage, or sabotage

service or tactics of a government of a foreign country or of a foreign political party, shall register with the Attorney General a registration statement containing information which the Attorney General may prescribe.

Bureau Classification 97
Manual of Instructions

Volume III, Section 84

18 U.S.C. 2386. Registration of Certain Organizations

The following organizations shall be required to register with the U. S. Attorney General:

Every organization subject to foreign control which engages in political activity;

Every organization which engages both in civilian military activity and in political activity;

Every organization subject to foreign control which engages in civilian military activity; and

Every organization, the purpose or aim of which, or one of the purposes or aims of which, is the establishment, control, conduct, seizure, or overthrow of a government or subdivision thereof by use of force, violence, military measures, or threats of any one of more of the foregoing.

SABOTAGE

18 U.S.C. 2152. Fortifications, Harbor Defenses, or Defensive Sea Areas

(a) Penalizes anyone who willfully trespasses upon, injures, or destroys any of the works, property or material of any submarine mine, torpedo, fortification or harbor-defense system of the United States;

(b) Penalizes willful interference with the operation or use of any such submarine mine, torpedo, fortification or harbor-defense system;

(c) Penalizes anyone who knowingly, willfully or wantonly violates any Presidential order or regulation governing persons or vessels within defensive sea areas designated by the President.

The following statutes ^{do not} prohibit anyone, who during time of war or national emergency, with intent to or reason to believe his act may injure, interfere with or obstruct, the United States or an associate nation:

18 U.S.C. 2153. Destruction of War Material, War Premises, or War Utilities

Attempts to or willfully injures, destroys, contaminates, infects any war material, war premises or war utilities.

18 U.S.C. 2154. Production of Defective War Material, War Premises, or War Utilities

Attempts to or willfully makes, constructs, or causes to be made or constructed in a defective manner any war material, war premises or war utilities, or tool, implement, machine, utensil or receptacle used in the production or repair of such items.

An act by any conspirator to effect the object of a conspiracy to commit the above violations subjects all conspirators to liability.

Strategic Facilities

The following statutes prohibit anyone, with intent to injure, interfere with or obstruct the national defense of the United States, from doing any of the actions cited:

18 U.S.C. 2155. Destruction of National-Defense Materials,
National-Defense Premises, or National-
Defense Utilities

Attempts to or willfully injures, destroys, contaminates or infects any national-defense material, national-defense premises or national-defense utilities.

18 U.S.C. 2156. Production of Defective National-Defense
Material, National-Defense Premises or
National-Defense Utilities

Attempts to or willfully makes or constructs, in a defective manner, any national-defense material, national-defense premises or national-defense utilities or any tool, implement, machine, utensil, or receptacle used in the production of such items.

An act by any conspirator to effect the object of a conspiracy to commit the above violations subjects all conspirators to liability.

50 U.S.C. 797. Security Regulations and Orders

Prohibits willful violation of regulation or order promulgated or approved by Secretary of Defense or military commander designated by him for protection of property and places subject to jurisdiction of Department of Defense, its subagencies, or officer or employee of that Department.

Bureau Classification 98
Manual of Instructions

Volume III, Section 86

SEDITION

18 U.S.C. 2387. Activities Affecting Armed Forces Generally

Penalizes anyone who with intent to interfere with the armed forces of the United States advises, counsels, urges or causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the armed forces or distributes or attempts to distribute any written or printed matter which counsels insubordination or refusal of duty.

18 U.S.C. 2388. Activities Affecting Armed Forces During War

Penalizes anyone who when the United States is at war willfully makes or conveys false reports or statements with intention of interfering with successful operation of the armed forces of the United States or promoting the success of its enemies or willfully causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty in the armed forces of the United States or willfully obstructs or attempts to obstruct the recruiting or enlistment service of the United States or harbors or conceals any person who he knows or has reasonable grounds to believe has violated or is about to violate any provision of this subsection.

Penalizes each of the parties to a conspiracy if two or more persons conspire to violate this subsection and one or more such persons act to effect the object of the conspiracy.

Bureau Classification 14
Manual of Instructions

Volume III, Section 88

18 U.S.C. 2389. Recruiting for Service Against the United States

Penalizes anyone who recruits soldiers or sailors within the United States or areas within its jurisdiction to engage in armed hostility against the United States or opens a recruiting station for enlistment of soldiers and sailors to serve in any manner in armed hostility against the United States.

Bureau Classification 61
Manual of Instructions

Volume IV, Section 95

18 U.S.C. 2390. Enlistment to Serve Against the United States

Penalizes anyone who enlists or is engaged within the United States or in any place subject to the jurisdiction of the United States with the intent to serve in armed hostility against the United States.

Airtel.

To: SAC, Albany

8/3/73

From: Director, FBI

SECTIONS 87 AND 122
MANUAL OF INSTRUCTIONS
SUBVERSIVE AND EXTREMIST INVESTIGATIONS

In connection with the various letters being directed by FBIHQ to all offices under individual organization captions which set out the suggested predications to be used in the future, the following instructions apply.

The field may reproduce these letters as required to facilitate distribution within their offices and notification to all interested personnel. They should, of course, be treated as sensitive material in any distribution to Resident Agencies.

Based upon results of recent regional field conferences and further consideration by FBIHQ, it has been decided that a predication for investigation need not be included in material prepared for dissemination (letterhead memoranda or report) with respect to on-going investigations which were pending before 8/1/73 and concerning which information has already been reported in a form suitable for dissemination. However, in such cases an appropriate predication must be shown in the first intraoffice communication prepared after 8/1/73 and in the first intraBureau communication prepared after 8/1/73 which is directed to FBIHQ. This would include the administrative pages of reports or communications covering letterhead memoranda.

For example, if pending case exists on a subject as of 8/1/73 and information concerning such subject has already been disseminated either by report or LHM, subsequent LHMs or reports prepared after 8/1/73 need not include a statutory predication. However, if a case is pending as of 8/1/73 and no prior outside dissemination has been made by LHM or report, the first such LHM or report prepared after 8/1/73 should include a statutory basis. In either event, the first intraoffice communication prepared after 8/1/73 should show the statutory.

2-All Field Offices

100-00-1546

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

Airtel to Albany
SECTIONS 87 AND 122
MANUAL OF INSTRUCTIONS
SUBVERSIVE AND EXTREMIST INVESTIGATIONS

basis as should the first intraBureau communication, copies of which are being directed to FBIHQ.

Advise FBIHQ if you have any questions concerning the foregoing instructions.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

DATE: 8/6/73

FROM : T. J. Smith

SUBJECT: SCOPE OF FBI JURISDICTION
AND AUTHORITY IN DOMESTIC
INTELLIGENCE INVESTIGATIONS

T. J. Smith to E. S. Miller memorandum dated 7/24/73, captioned as above, enclosed a 43-page position paper prepared for L. Patrick Gray, III, relating to captioned matter. This memorandum also described previous efforts to get a request to the Attorney General to seek a comprehensive Executive order which would provide definitive guidelines for the FBI to conduct domestic intelligence-type investigations.

This memorandum pointed out that the political climate of suspicion and distrust resulting from disclosures coming out of the Watergate hearings could present an obstacle to getting an Executive order signed at this time, but that the need is great and such an order would establish definitive guidelines which have heretofore been unclear. We recommended that we go forward with a request for the Executive order and leave it up to the Attorney General and perhaps the White House to make a final decision. In that way we would be taking a step forward.

The Director noted, "There may be some obstacle in pursuing the recommended course, but I feel we should proceed rather than to wait for a more favorable climate. We never progress by standing still. Continue as set out in memo which was an excellent review of the problem."

Pursuant to the Director's instructions, there is attached a proposed letter to the Attorney General setting forth the request for an Executive order and suggesting proposed language. The letter also takes note of the need for updated legislation.

Enclosure

URC

original in 62-66727 1025

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

Memorandum to Mr. E. S. Miller
Re: Scope of FBI Jurisdiction
and Authority in Domestic
Intelligence Investigations

RECOMMENDATION:

That the attached letter to the Attorney General be approved
and sent.

The Attorney General

August 7, 1973

Director, FBI

SCOPE OF FBI JURISDICTION
AND AUTHORITY IN DOMESTIC
INTELLIGENCE INVESTIGATIONS

During our meeting on July 26, 1973, you referred to a discussion you had with Senator Charles McC. Mathias, Jr., of Maryland during your confirmation hearings as to the statutory authority of the FBI and the Department of Justice in the field of domestic intelligence investigations. You then asked Mr. William D. Ruckelshaus to work with the FBI in weighing the pros and cons with regard to statutory authority in this area. I mentioned that research was being performed on this subject at the present time and that we would be in touch with Mr. Ruckelshaus with regard to this matter when we have completed the results of our consideration and findings within the FBI.

Actually, a study has been going on in the FBI for more than two years as to the scope of FBI jurisdiction and authority in domestic intelligence investigations. When Mr. L. Patrick Gray, III, was designated as Acting Director of the FBI, he instructed that a position paper be prepared concerning the jurisdiction and authority of the FBI to conduct domestic intelligence investigations. A position paper was prepared which in essence stated that authority of the FBI in this field is based on legislative enactments, even though we may have publicly relied heavily on Presidential directives as the basis for such authority. Mr. Gray ordered an in-depth study made of the position and in August, 1972, a detailed report was furnished to him. The following is a summary of that report.

Over a period of several months there were a number of public statements questioning authority and jurisdiction of the FBI to conduct domestic intelligence-type investigations, particularly where there is no clear-cut legislative authority apparent. One of the most searching inquiries was contained in a paper presented by Professor John T. ~~Ellis~~ ^{Ellis} at a two-day conference at Princeton University in October, 1971, sponsored by the Committee for Public Justice.

U.R. (below 100-00-1548)

original in 62-66727-1824

MDR-66
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP8ALM/EHL

The Attorney General

A major thrust of Professor Elliff's paper concerned FBI authority derived from legislative enactments as opposed to that derived from Presidential directives, beginning with a directive issued by President Roosevelt in September, 1939. Professor Elliff is of the opinion that the 1939 directive, which was reiterated on three subsequent occasions, was magnified by the FBI from its original purpose to a definitive order to conduct intelligence-type investigations.

Senator Sam J. Ervin, as you know, had been probing into the nature and extent of FBI intelligence-type investigations. Senator Ervin had even announced that he intended to propose legislation to prohibit the FBI from investigating any person without that individual's consent, unless the Government has reason to believe that person has committed a crime or is about to commit a crime. Other Congressmen indicated a similar interest in FBI investigative activities.

Our study revealed that the FBI had declared publicly over a long period of time that its responsibilities in the domestic intelligence field are authorized under legislative enactments, Presidential directives, and instructions of the Attorney General. The Presidential directives are obviously the 1) directive dated September 6, 1939, and reiterated January 8, 1943; July 24, 1950; and December 15, 1953, and 2) Executive Order 10450 dated April 27, 1953 (and amended but not yet implemented by Executive Order 11605 dated July 2, 1971).

In carefully analyzing the language of the first directive, dated September 6, 1939, and considering that the subsequent directives are all hinged on that one, we believe that there is a misconception as to the extent of jurisdiction or authority conveyed to the FBI by these directives. It appears that while the 1939 directive fixed responsibility on the FBI to handle espionage, sabotage, and neutrality matters, it did not convey any authority or jurisdiction which the FBI did not already have from legislative enactments. It is difficult to read into this directive or in any of those which followed any authority to conduct intelligence-type investigations which would or could not be conducted under an umbrella of legislative enactments.

The Attorney General

As a matter of historical fact, President Roosevelt in August, 1936, did request former Director J. Edgar Hoover to conduct investigations of subversive activities in this country, including communism and fascism. This request, however, was a confidential oral request and there is doubt that any record of it was made outside the FBI. This request, or Presidential mandate, was based, incidentally, on the fact that the law provided that the FBI could conduct such investigations if the Secretary of State should so request.

The study revealed that while the 1939 et seq. directives did not grant any special intelligence-gathering authority to the FBI, we were responsible under these directives to collect all intelligence information furnished by local, state, and Federal law enforcement agencies and patriotic citizens and to sift and coordinate all such information for indications of subversive activity covered by Federal statutes.

The study concluded that the FBI has the responsibility to conduct whatever investigations are necessary to determine if statutes relating to espionage, sabotage, insurrection or rebellion, sedition, seditious conspiracy, advocacy of overthrowing the Government, and other such crimes affecting the national security have been violated. In this connection we note that in a letter dated September 14, 1967, the Department of Justice advised that the FBI is continually alert to the problem of recurring riots and is submitting intelligence reports to the Department of Justice concerning such activity. This letter enumerated several Federal statutes and stated these could be applicable in using maximum available resources, investigative and intelligence, to collect and report all facts bearing on the question of schemes or conspiracies to plan, promote or aggravate riot activity.

In other words, the Department was requesting all possible intelligence-type investigative activity based on the existence of certain statutes. We see this as being no different from our intelligence-type investigations relating to plans of groups or individuals to overthrow, destroy, interfere with or threaten the survival of effective operation of national, state, and local governments.

The Attorney General

Based on this study, we believe that had there never been a single one of the Presidential directives in question the FBI would have conducted and will, through necessity, continue to conduct the same intelligence-type investigations as were conducted from 1339 to the present date. We also believe, however, that in order to counter the criticism and skepticism of such individuals as Professor Elliff and Senator Sam J. Ervin that an up-to-date Executive order should be issued clearly establishing a need for intelligence-type investigations and delineating a clear authority for the FBI to conduct such investigations based on guidelines established by the Attorney General and adhering to constitutional principles.

The study concluded with two basic recommendations.

1) That the Department of Justice be requested to sponsor comprehensive legislation spelling out the FBI's investigative authority in the collection of intelligence information relating to the national security and; 2) that the Department of Justice be requested to seek a comprehensive Executive order which would cover any possible gap between statutory authority and Executive necessity in protection of the national security.

At first glance these recommendations may appear to contradict our position that we already have statutory authority to conduct security-type investigations; that this being the case we do not need additional legislative enactments, nor do we need an Executive order. But being realistic we think that the basic statutes upon which we rely for our authority to conduct domestic intelligence investigations need to be updated to fit 1973 needs. Title 18 U.S.C. Sections 2383, 2384, and 2385 relate to the national security, but the legislative history of 2383 and 2384 indicates that they were designed for the Civil War era, not the Twentieth Century, and Section 2385 has been reduced to a fragile shell by the Supreme Court. These statutes are unquestionably still valid, but updating is certainly indicated. The bills introduced as H.R. 6046 and S. 1400 in the 93rd Congress appear to contain language which should fill our statutory needs, except perhaps for those groups, such as the Ku Klux Klan, which do not seek to overthrow the Government, but nevertheless are totalitarian in nature and seek to deprive constitutionally guaranteed rights.

The Attorney General

As to the need for an Executive order, we think that two issues are involved. We have statutory authority, but what we need is a definitive requirement from the President as to the nature and type of intelligence data he requires in the pursuit of his responsibilities based on our statutory authority. In other words, there is a need, from our standpoint, for both authoritative and definitive guidelines. The statutes give us the authority. The Executive order would define our national security objectives.

Members of Congress, including such men as Senator Robert C. Byrd of West Virginia, have proposed legislation to spell out jurisdiction and authority of the FBI in this field. It would appear that the President would rather spell out his own requirements in an Executive order instead of having Congress tell him what the FBI might do to help him fulfill his obligations and responsibilities as President.

The political climate of suspicion and distrust resulting from disclosures coming out of the Watergate hearings could present an obstacle to getting any such Executive order signed in the immediate future. However, the rationale is nevertheless valid and when scrutinized closely, the language in the Executive order we hereinafter propose establishes definitive guidelines which have heretofore been unclear. It is my belief that we should go forward with this.

We therefore propose and recommend that an Executive order along the following lines be submitted to the White House with a strong recommendation for approval. The language which follows is merely to illustrate the type of Executive order which we think would be appropriate and does not necessarily represent an ideal format or style which should be submitted to the White House.

EXECUTIVE ORDER

"Whereas the Constitution of the United States was established to insure, among other things, domestic tranquility; to provide for the common defense; and to promote the general welfare for the people of the United States; and

The Attorney General

"Whereas the President of the United States has the constitutionally imposed responsibility of defending the Constitution and the existence of the Government thereunder; and

"Whereas there have been continuing unlawful acts of violence perpetrated against the Government of the United States or against citizens of the United States or against persons entitled to the protection of the United States thereby endangering the domestic tranquility, threatening the common defense, and jeopardizing the general welfare of the people of the United States; and

"Whereas the Congress has enacted laws prohibiting acts such as treason, sedition, sabotage, espionage, insurrection and rebellion, seditious conspiracy, civil disobedience, rioting, assassination, kidnaping, deprivation of civil rights, and conspiracies to commit such acts; and

"Whereas the President of the United States as Chief Executive in the maintenance of the Government thereunder must have intelligence information for appropriate decisions in the discharge of his constitutionally imposed responsibilities;

"Now by authority vested in me by the Constitution and statutes of the United States and in the interest of orderly operation of this Government and in furtherance of the domestic tranquility, common defense, and general welfare of the people of the United States it is ordered that;

"The Attorney General prepare and issue guidelines, conforming to the principles of the Constitution and the Bill of Rights, and outlining the necessary direction, coordination, and guidance of investigations to assure that the Federal Bureau of Investigation provides on a continuing basis intelligence information essential to the execution of laws pertaining to subversive activity and other such activity affecting the national security, domestic tranquility, and general welfare of the United States."

The Nation has been going through a time of terror. The concept of urban guerrilla terrorism has been adopted by various extremist elements in the United States. Bombings of public buildings and national institutions;

The Attorney General

killing of police officers who, by their uniform, are a symbol of the democratic establishment; hijacking of aircraft in furtherance of revolutionary movements; terrorist assaults on foreign diplomatic personnel and establishments; and open declaration of war on our form of government are only a few of the violent acts which have been perpetrated by domestic subversives who seek to destroy or seriously cripple our Government. Terrorist guerrilla attacks which were once confined to far away places and related to problems of no immediate concern of ours are now possible in this country. Foreign terrorist groups in collusion with domestic terrorists have laid plans for an airport massacre of the type which recently occurred in Israel. Other foreign terrorist elements have laid plans for terrorist attacks on American soil. Already one foreign official has been assassinated, possibly by terrorists.

It would be folly to adopt an investigative policy based on the concept of investigation only when there is reason to believe a crime involving the national security has been committed. The FBI must obviously anticipate the crimes described above. We believe that in order for the Government to be in position to defend itself against revolutionary and terrorist efforts to destroy it, the FBI must have sufficient investigative authority to conduct intelligence-type investigations not normally associated with enforcement of the statutes. In other words we think the President has the inherent Executive power to expand by further defining the FBI's investigative authority to enable it to develop advance information concerning the plans and aspirations of terrorists and revolutionaries who seek to overthrow or destroy the Government. However, we also believe that such expanded authority must be formally set forth in an Executive order and that this recommendation is responsive in the Attorney General's expressed interest in laying more formal guidelines to our work in areas where definition is not now clear.

We consider the issuance of a new Executive order delineating our jurisdiction, authority, and responsibility to gather and report intelligence information relating to the national security to be a very important and high priority matter. We believe the issuance of guidelines by the Attorney General under Title 28, Section 533, United States Code, to be equally important.

The Attorney General

For your information, our own investigative guidelines as contained in our Manual of Instructions relating to domestic subversive investigations have been completely rewritten to conform with the concept that our domestic intelligence-type investigations are based on Federal statutes. These guidelines provide that in each instance, the domestic intelligence investigation must be predicated on information indicating that the organization or individual is engaged in activity which could involve a violation of specific statutes relating to the national security. A copy of the new guidelines was previously provided to the Department of Justice in connection with the request of Senator Edward M. Kennedy to obtain a copy of the FBI's Section 87 of the Manual of Instructions. The effective date of the new guidelines was August 1, 1973.

1 - The Deputy Attorney General

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

DATE: 11/15/73

FROM : R. L. Shackelford

SUBJECT: SECTION 87
MANUAL OF INSTRUCTIONS
SUBVERSIVE INVESTIGATIONS

MDR-16

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/5/00 BY SP2AKM/EHL

PURPOSE:

To obtain approval to send attached airtel to all offices which airtel reiterates instructions pertaining to the proper character to be utilized in connection with investigations of subversive individuals and organizations.

BACKGROUND:

Section 87, Manual of Instructions (MOI), was extensively revised in that it now stresses a statutory approach relative to investigations of domestic security matters.

Subsequent to its effective date of 8/1/73, Headquarters supervisory personnel have noted while reviewing incoming mail submitted by the field that the majority of the field offices continue to incorrectly use "Revolutionary Activities" as a character in connection with the investigations of subversive individuals and organizations. The use of the character "Revolutionary Activities" was terminated with the implementation of the revised Section 87, MOI. In this connection, the revised Section 87, MOI, sets forth specific instructions regarding the correct character to be utilized in all subversive individual and organization investigations. However, various field offices continue to disregard these instructions and continue to use the "Revolutionary Activities" character.

100-00-1553

Enclosure

Memorandum to Mr. E. S. Miller
Re: Section 87.
Manual of Instructions
Subversive Investigations,

OBSERVATION:

Headquarters supervisory personnel have repeatedly brought the above discrepancy to the attention of investigative and supervisory personnel in the field but to date a considerable number of field offices continue to incorrectly utilize the "Revolutionary Activities" character. In view of this, the attached airtel is being sent to all offices in order to again stress the importance of utilizing the correct character in subversive investigations of individuals and organizations.

RECOMMENDATION:

That attached airtel be approved and sent.

AIRTEL

11/10/78

To: SAC, Albany

From: Director, FBI

SECTION 87
MANUAL OF INSTRUCTIONS
SUBVERSIVE INVESTIGATIONS

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

As each office is aware, Section 87, Manual of Instructions (MOI), was recently revised. In this connection, the following instructions were set forth relative to the utilization of appropriate character with respect to investigations of subversive organizations and individuals.

Investigation of Organizations
Section 87, MOI, Page 8, Paragraph 7, (1):

"All cases should use character 'Internal Security', e.g., 'Communist Party, USA; Internal Security.' In case of subsidiary or front group, character should show name or abbreviation of the parent organization, e.g., 'Young Workers Liberation League, Internal Security - CPUSA'; 'Young Socialist Alliance, Internal Security - SWP.' Caption of subversive infiltration cases should include name of subversive group and target organization, e.g., 'Infiltration of (Name of target organization) by Socialist Workers Party, Internal Security - SWP.'"

Investigation of Individuals
Section 87, MOI, Page 14, Paragraph (9), (1) and (2):

"(1) Designation 'Subversive Matter' (or abbreviation SM) should be used in all cases. Add organizational affiliation when chief group with which subject is connected is under investigation or has approved thumbnail

100-00-1552

2 - All Offices

Airtel to-SAC, Albany
Re: Section 87
Manual of Instructions
Subversive Investigations

sketch. Example: Subversive Matter - CUBA, Subversive Matter - EMP.

"(2) Where meaningful organization affiliation cannot be shown, use caption 'Subversive Matter.'"

Headquarters notes that a considerable number of field offices continue to utilize the characters of RI - Revolutionary Activities and/or IS - Revolutionary Activities which in both instances are incorrect and not in compliance with instructions as set forth in the revised Section 87, MOI.

Examples of correct character in organization cases are:

Youth International Party (YIP)
Internal Security

Vietnam Veterans Against the War/ Winter Soldier
Organization (VVAW/WSO)
Internal Security

Students for a Democratic Society (SDS)
Internal Security

White Panther Party (WPP)
Internal Security

For individual cases:

SM - YIP
SM - VVAW/WSO
SM - SDS
SM - WEATHERMAN
SM - WPP

It is again stressed as set forth specifically in Section 87, MOI, in investigations of individuals if a meaningful organization affiliation cannot be shown the character "Subversive Matter" must be utilized.

MDR-16
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DATE 10/5/80 BY SP2 ALM/EHL

Date: December 19, 1973

To: Director, U. S. Secret Service

From: Clarence M. Kelley, Director

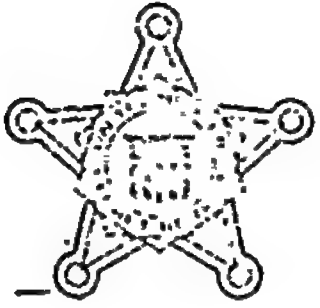
Subject: ~~RE~~ SUBVERSIVE AND EXTREMIST INVESTIGATIONS

Under the terms of the "Agreement Between the Federal Bureau of Investigation and the United States Secret Service Concerning Protective Responsibilities," the FBI furnishes your Service with certain categories of information. One category relates to "persons who may be considered potentially dangerous to individuals protected by the USSS because of their background or activities, including evidence of emotional instability or participation in groups engaging in activities inimical to the United States." In accord with this provision, we have been regularly disseminating to your Service the results of our investigations of subversive and extremist subjects.

The agreement does not specify where such dissemination should be made and, in practice, we have been furnishing copies of reports and letterhead memoranda in these cases both to Secret Service Headquarters and locally to the appropriate Secret Service field office. A heavy volume of such communication is involved, totaling several thousand each year.

The question has been raised as to whether or not such duplicate dissemination is required by your Service; i. e., whether your local offices have a need for copies of all FBI reports and memoranda involving subversive and extremist subjects under investigation by the FBI. Please be assured that if you feel that dissemination of such FBI material at both headquarters and the field level is necessary or helpful in any way in the discharge of your responsibilities, the FBI is anxious to continue this procedure.

100-00-1555



DIRECTOR

DEPARTMENT OF THE TREASURY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

January 4, 1974

To : Director, Federal Bureau of Investigation
From : Director, U. S. Secret Service
Subject : Subversive and Extremist Investigations

In response to your memorandum of December 19, 1973, we have reviewed the necessity of FBI field offices disseminating to Secret Service field offices the results of your investigations of subversive and extremist subjects.

Members of my staff have met with members of your staff and we are requesting that the present procedure of disseminating this information at the field office level should be continued and that this same information should continue to be furnished by letter-head memorandum to Secret Service headquarters. We find that much of this information is valuable to our field offices. We would therefore appreciate continuance of our present procedure.

MDR-16
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DATE 10/5/00 BY SP2 ALM/EHL


H. S. Knight

100-00-1556

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 1/9/74

FROM : Legal Counsel

SUBJECT: HEARING ON THE FBI'S
DOMESTIC INTELLIGENCE-GATHERING
FUNCTION

MDR-16
ALL INFORMATION CONTAINED
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DATE 10/5/00 BY SP3ALM/EHL

Attached is a memorandum dated January 9, 1974, captioned as above, which was hand delivered to me from Hugh M. Durham, Chief of the Legislative and Legal Section of the Department's Office of Legislative Affairs. The memorandum advises that the Attorney General would be invited to testify February 6, 1974, before the Committee on Internal Security of the House of Representatives concerning the FBI's domestic intelligence-gathering function.

Ron Gainer in the Criminal Division of the Department has been designated to play a major role in preparation of the testimony. Mr. Durham's memorandum indicates that he will be in touch with us in the future concerning the Bureau's contribution and that the FBI and the Department will coordinate the presentation.

Attached to the memorandum is a copy of the Internal Security Committee analysis of the statutory authority for the FBI's domestic intelligence activities dated October 3, 1973, and a copy of a letter from Alfred M. Nittle, Legislative Counsel of the Internal Security Committee, to Mr. Durham dated January 3, 1974.

The Committee hearings will continue the Committee's inquiry, the results of the first portion of which were reported in the attached Committee analysis.

100-00-1569

— Memorandum to the Director
Re: HEARING ON THE FBI'S DOMESTIC
INTELLIGENCE-GATHERING FUNCTION

RECOMMENDATION:

That this matter be referred to the Intelligence Division for coordination with Ron Gainer of the Department's Criminal Division.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. Clarence M. Kelley
Director, Federal Bureau of Investigation
ATTENTION: John A. Mintz

DATE: January 9, 1974

Hugh M. Durham

Chief, Legislative and Legal Section
Office of Legislative Affairs

SUBJECT: Hearing on the FBI's Domestic Intelligence-Gathering
Function

Attached is a copy of a letter recently received from the Counsel of the House Committee on Internal Security indicating that Attorney General Saxbe will be invited to testify on February 6 concerning the FBI's domestic intelligence-gathering function.

While it has not been determined whether the Attorney General will in fact appear on the aforementioned date, it is likely that testimony will be given by the Department before this Committee on this subject early in this session. Accordingly, it is most important that we prepare draft testimony and back-up material at an early date. I have contacted Ron Gainer in the Criminal Division and he is prepared to be the point of contact in that Division and to play a major role in preparing the material.

I will be in touch with you concerning the Bureau's input and we can work together in coordinating the presentation.

Attached is a copy of the Committee Print of an analysis of the "Statutory Authority for the FBI's Domestic Intelligence Activities."

U.R.

original in 62-66727-1832

MDR-16

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DATE 10/5/00 BY SP2 ALM/EHL

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES
COMMITTEE ON INTERNAL SECURITY
WASHINGTON, D.C. 20515

CLAUDE PEPPER, FLA.
RICHARDSON PREYER, N.C.
ROBERT P. DRINAN, MASS.
MENDEL J. DAVIS, S.C.

JOHN M. ASHBROOK, OHIO
ROGER H. ZION, IND.
J. HERBERT BURKE, FLA.
TENNYSON GUYER, OHIO

ROBERT M. HORNER, STAFF DIRECTOR
WILLIAM H. HECHT, EXECUTIVE STAFF ASSISTANT
ALFRED M. NITTLE, LEGISLATIVE COUNSEL

NINETY-THIRD CONGRESS
RICHARD H. ICHORD, MO., CHAIRMAN

DEWITT WHITE,
MINORITY LEGAL COUNSEL
HERBERT ROMERSTEIN,
MINORITY CHIEF INVESTIGATOR
JAMES L. GALLAGHER,
SENIOR RESEARCH ANALYST

January 3, 1974

Hon. Hugh Durham
Chief, Legislative and Legal Section
U. S. Department of Justice
Washington, D. C.

MDR-16
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DATE 10/5/00 BY SP8 ALM/EHL

Dear Hugh:

Bob Horner, our staff director, has asked me to contact you so as to alert you to the fact that the Committee will resume its inquiry into the FBI's domestic intelligence-gathering function. You will recall that we had previously arranged for the appearance of Deputy Attorney General Ruckelshaus for November 8, 1973. This unfortunately fell through because of his resignation.

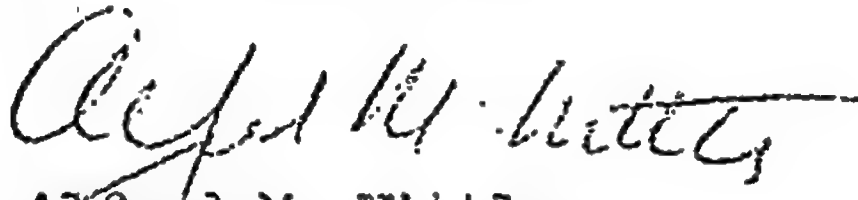
Following the conclusion of the present recess, the Chairman has indicated his desire to request the appearance of Attorney General Saxbe at a hearing of the Committee to be set for February 6.

I anticipate that Attorney General Saxbe will receive a formal request for his appearance on Chairman Ichord's return. If you have any questions, please do not hesitate to call me.

I do not recall whether I previously forwarded to you a copy of the Committee resolution (adopted September 26, 1973) pursuant to which the hearings are scheduled. I enclose a copy for your use.

With kind regards, I am

Sincerely yours,


Alfred M. Nittle
Legislative Counsel

AMN:jc

Enclosure

RESOLUTION

BE IT RESOLVED, that the Committee on Internal Security, or any subcommittee thereof appointed for such purpose, conduct investigation and hearings, at such times and places as the Chairman may determine, on subjects of inquiry as follows:

(a) The adequacy, efficiency, methods, and control of domestic intelligence operations in relation to threats to the internal security posed by organizations, groups, or individuals as characterized in subclause (b) of clause 11 of House Rule XI, or by the activities of foreign agents within the United States;

(b) The jurisdiction, practices, and role of the Federal Bureau of Investigation, the Department of Justice, and other Federal departments and agencies, and officers and employees thereof, in the investigation, collection, and dissemination of domestic intelligence with respect to the aforesaid organizations, groups, and individuals, or in the administration of programs affecting or related to the internal security of the United States, and whether or not authorized or mandated by acts of Congress;

(c) The activities of agencies, officers, and employees in the executive branch of the Federal Government, or contractors or subcontractors thereof, their employees and agents, in the conduct or planning of investigations or studies affecting or related to the internal or national

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security, or in the acquisition, compilation, and dissemination of domestic or foreign intelligence information in relation to the administration and execution of loyalty and security programs as applied to the determination of suitability or eligibility of individuals for Federal civilian employment, or for access to classified information, or for other purposes, and whether or not authorized by law or regulations and executive orders issued pursuant thereto; and

(d) All other questions in relation thereto, for the following legislative purposes:

(1) To ascertain compliance or noncompliance with the terms or purposes of applicable or related acts of Congress;

(2) To appraise and evaluate the application, administration, and execution of such laws, and procedures established pursuant thereto, to determine the need or desirability of remedial or additional legislation, and to ascertain facts essential to the formulation, consideration, and enactment of such modifications or changes in those laws as may be necessary or appropriate; and

(3) To assist the Committee and the House in the consideration of bills related to the foregoing subjects of inquiry.

[COMMITTEE PRINT]

STATUTORY AUTHORITY FOR THE FBI'S
DOMESTIC INTELLIGENCE ACTIVITIES

AN ANALYSIS

PREPARED FOR THE USE OF THE
COMMITTEE ON INTERNAL SECURITY
HOUSE OF REPRESENTATIVES
NINETY-THIRD CONGRESS
FIRST SESSION



(OCTOBER 3, 1973)

MDR-16

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DATE 10/5/00 BY SP2 ARM/EHC

for the use of the Committee on Internal Security

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

Assistant Attorney General
Criminal Division

March 29, 1974

Director, FBI

HEARING BEFORE THE HOUSE
COMMITTEE ON INTERNAL SECURITY
CONCERNING THE FEDERAL BUREAU OF
INVESTIGATION'S DOMESTIC
INTELLIGENCE ACTIVITIES

MDR-16
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DATE 10/5/00 BY SP2 ALM/EHL

Reference is made to your memorandum of March 25, 1974, enclosing a transcript of the testimony of Deputy Assistant Attorney General Kevin T. Maroney before the House Committee on Internal Security (HCIS) on February 20, 1974.

Pursuant to your request there are enclosed herewith single copies of the following documents:

1) Delimitations agreement dated February 23, 1949, outlining measures to coordinate the activities of the FBI, the Office of Naval Intelligence, the Intelligence Division of the Army, and the Office of Special Investigations of the U. S. Air Force. This also includes supplemental agreements numbered I, III, IV, V, and VI. A copy of supplemental agreement is not included inasmuch as this item was classified "Secret" and relates to U. S. Navy responsibilities. This supplemental agreement cannot be furnished to the HCIS without specific approval of the latter Department. It is noted that this delimitations agreement is referred to on Pages 61-62 of the transcript.

2) A copy of a letter dated July 17, 1946, addressed to the President by then Attorney General Clark dealing with the use of listening devices in security investigations. This communication was referred to on Pages 76-77 of the transcript.

3) A memorandum to the Director, FBI, from then Attorney General Ramsey Clark dated September 14, 1967, directing the FBI to collect and report certain information regarding civil disturbances. This memorandum was referred to on Page 89 of the transcript.

(COPY)

100-00-1559X1

Assistant Attorney General
Criminal Division

4) An excerpt from the "U. S. Attorneys Bulletin" of March 30, 1973, Volume 7, Number 279, consisting of Appendix II, which outlines Departmental policies relative to Public Law 92-539, the Act for the Protection of Foreign Officials and Official Guests of the United States.

5) An undated set of "Investigative Guidelines" relating to Title XI of the Organized Crime Control Act of 1970 pertaining to the regulation of explosives. This document was furnished as an enclosure to your letter to the Acting Director, FBI, February 28, 1973, entitled "Investigative Guidelines for Violations of Title XI, Organized Crime Control Act of 1970 (18 USC 844)."

6) A copy of a letter dated May 9, 1962, from the Attorney General to the Director, FBI, captioned "Unauthorized Disclosure of Classified Information to the Press" which sets out Departmental policies relative to the handling of so-called "leak" cases.

7) Copies of two communications from the Department to the Bureau relative to investigations of American Indian extremist activities: (a) a letter from Deputy Attorney General Sneed, dated February 9, 1973, captioned "Request for Preliminary Investigation of Possible Violations of Federal Antiriot Laws or Other Federal Statutes by American Indians"; (b) your letter dated April 26, 1973, entitled "Request for Information About Possible Future Indian Disorders."

8) An undated listing of those Federal statutes and Executive Orders considered pertinent to FBI responsibilities in protecting the internal security. Basic criminal statutes have been omitted from this list although some of the individuals the FBI has investigated for intelligence purposes have been involved in ordinary criminal activity.

With reference to the oral directive issued to former FBI Director Hoover in August, 1936, by President Roosevelt, mentioned on Page 80 of the transcript, the following is noted. Instructions received by Mr. Hoover from President Roosevelt were recorded in two FBI memoranda. The originals of these memoranda cannot be located

Assistant Attorney General
Criminal Division

although copies are available. These communications indicated that two separate meetings took place between the President and Mr. Hoover on August 24 and 25, 1936, respectively.

At the first meeting the President indicated he desired to discuss subversive activities in the United States, particularly communism and fascism. Mr. Roosevelt expressed his keen concern over these matters and his desire to obtain a broad picture of the general movement and its activities as they may affect the economic and political conditions in the United States.

The President arranged to meet with Mr. Hoover and Secretary of State Hull on August 25, 1936. At that meeting Mr. Roosevelt pointed out he was desirous of having these investigations conducted and that, under the Appropriations Act, the FBI would have the authority to conduct such investigations if so requested by the Secretary of State. A formal request for such investigations was then made of Director Hoover by Mr. Hull. In compliance with the wishes of the President, it was agreed this request would not be in writing since the President desired that it be kept confidential.

It is noted that at the meeting on August 24, 1936, the President indicated that he would put a handwritten memorandum in his safe at the White House indicating he had instructed the Secretary of State to request these investigations. The President further instructed Mr. Hoover to advise the Attorney General of this matter. Subsequently, Mr. Hoover recorded that he informed the Attorney General.

We would have no objection to the foregoing information being provided to the HCIS but it is not desired that copies of the two memoranda in question be furnished to the Committee.

As set out on Pages 116-118 of the transcript, Mr. Maroney was asked to provide the following material from the FBI: (a) a statement from the FBI as to how it construes the duties imposed upon it by Subsection (d) of Section 0.85 (Title 28, Code of Federal Regulations); (b) a statement from the FBI as to how it construes the duties imposed upon it by Subsection (a) of the same Section.

Assistant Attorney General
Criminal Division

With respect to the basic authority for investigative activities of the FBI, this is generally derived from Title 5, U. S. Code, Section 533, which authorizes the Attorney General to appoint officials to (1) detect and prosecute crimes against the United States; (2) assist in the protection of the person of the President; and, (3) conduct other such investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General.

Title 28, Code of Federal Regulations, Section 0.85, sets forth the general functions of the FBI as defined by the Attorney General. Included is the delegation of responsibilities to the FBI under subparagraph (a) to investigate violations of the laws of the United States and collect evidence in cases in which the United States is or may be a party in interest, except in cases in which such responsibility is by statute or otherwise specifically assigned to another investigative agency.

Additionally, Title 18, U. S. Code, Section 3052, confers upon investigative personnel of the FBI the power to carry firearms, serve warrants and subpoenas, and make arrests without warrants under certain circumstances.

Accordingly, there is no question as to the FBI's jurisdiction and authority to investigate violations of Federal statutes which impose criminal sanctions. The FBI obviously is charged with the responsibility to investigate violations of Federal laws such as those involving kidnaping and bank robbery, as well as those relating to espionage, sabotage, and sedition.

Section 0.85 under subparagraph (d) delegates responsibilities to the FBI to carry out the Presidential directive of September 6, 1939, as reaffirmed by Presidential directives of January 8, 1943; July 24, 1950; and December 15, 1953, designating the FBI to take charge of investigative work and matters relating to espionage, sabotage, subversive activities, and related matters.

The question under subparagraph (d) is not really whether the FBI has the authority to investigate crimes against the United States but whether its authority is limited to investigating crimes after they have occurred with no authority to perform a preventive law enforcement function.

Assistant Attorney General
Criminal Division

The record is clear that historically law enforcement agencies have performed the dual function of investigation of crime and crime prevention. It would be ridiculous to believe that the FBI would be forced to take no action until after the commission of a crime when its capabilities would permit it to develop prior information regarding a kidnaping or a bank robbery and thus be in a position to thwart the criminal act. Likewise, there have been no serious claims made that the FBI should refrain from extensive counterespionage activities designed to identify foreign agents and prevent the theft of vital and extremely sensitive national secrets affecting the security of our country.

It would seem to follow that the FBI also has the authority and the responsibility to identify and follow the activities of individuals and groups who secretly or publicly advocate or engage in activities which are in violation of laws of the United States designed to preserve the security of this country and its citizens.

A recent decision in the Second Circuit of the United States Court of Appeals appears to be in point. In this case, the Director of the FBI and others were sued in a civil action by the Fifth Avenue Peace Parade Committee and other plaintiffs for alleged invasion of constitutional rights and invasion of privacy. The plaintiffs complained that an FBI investigation conducted immediately prior to the November 14-16, 1969, Moratorium Demonstration in Washington, D. C., had a chilling effect upon the exercise of the plaintiffs' constitutionally protected activity. The purpose of the FBI's investigation in this case was to determine the number of individuals who would be coming to Washington, their mode of transportation, time of arrival, and to detect individuals who had a potential record of violence.

With regard to the FBI's authority to conduct the investigation, the court said, "Beyond any reasonable doubt the Federal Bureau of Investigation had a legitimate interest in and responsibility for the maintenance of public safety and order during the gigantic demonstration planned for Washington, D. C. In fact, had it been ignored the agency would be properly chargeable with neglect of duty." The court went on to say no matter how peaceful the intention of the organizers the assemblage of the vast throng planning to protest the Vietnam action and

Assistant Attorney General
Criminal Division

to express their sincere and conscientious outrage, presented an obvious potential for violence and the reaction of the Government was entirely justifiable. The court said, "That reaction was not to deter, not to crush constitutional liberties but to assure and to facilitate that expression and to minimize controversy which in the end would harm the cause of the plaintiffs more than the disruption or violence would injure the Nation." (480 F2d 326 (1972)) The court not only condoned the FBI's prior investigation of a constitutionally protected activity, it went further by stating that the FBI had a duty.

With respect to the discussion set out on Pages 82-84 of the transcript regarding Executive Order 10450 (Federal Employees Security Program), the following observations are offered:

The U. S. Supreme Court in *Cole v. Young*, 351 U. S. 536, June 11, 1956, held that Government employees can be dismissed under Executive Order 10450 only if they occupy sensitive positions, i. e., positions affecting national security. The Attorney General by memorandum dated June 15, 1956, advised the FBI that the *Cole* decision involved only processing of removal proceedings in connection with nonsensitive positions under Executive Order 10450 and would not have any effect on the right of the Executive Branch to investigate its employees or applicants for employment, as heretofore. The investigative role of the FBI involving individuals has not changed.

The results of the FBI's investigations under Executive Order 10450 are sent to the Civil Service Commission, which sends copies to the interested agency or department, for adjudication under applicable regulations. It is noted that Section 2 of Executive Order 10450 provides that it is the responsibility of the head of each department and agency to establish and maintain an effective program.

As a result of its recent hearings, the HCIS found that departments and agencies have virtually abandoned the practice of post-appointment dismissals on loyalty grounds. The Committee also called for centralized direction in a central loyalty-security review agency for the loyalty and security programs pointing out that functions delegated to the Attorney General under Section 13 of Executive Order 10450 "are at best advisory only."

Assistant Attorney General
Criminal Division

The Department of Justice through the Acting Director, Department Security Staff, is sponsoring a series of meetings of interested agencies to discuss updating and revising certain functions of Executive Order 10450.

In connection with Mr. Nittle's inquiry as set out on Page 123 of the transcript, as of March 28, 1974, the FBI was conducting full-scale investigations concerning a total of 52 organizations and groups within the United States on the basis of information developed indicating a possible violation of statutes relating to internal security.

It is noted that detailed observations of this Bureau with respect to our jurisdiction and authority in domestic intelligence investigations were included in the following communications previously directed to the Department: (a) letter to the Attorney General, dated August 7, 1973; (b) letter to the Deputy Attorney General - Designate Ruckelshaus, dated August 24, 1973; and, (c) letter to the Deputy Attorney General dated October 11, 1973; all under the caption "Scope of FBI Jurisdiction and Authority in Domestic Intelligence Investigations." It is not desired that the copies of these communications be provided to the HCIS; however, a review of this material might prove helpful to Mr. Maroney in preparation for his forthcoming reappearance before the Committee.

Enclosures - 14

NOTE:

See memorandum A. B. Fulton to Mr. W. R. Wannall, dated 3/29/74, captioned as above, and prepared by RDC:nlb.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Wonnall

DATE: 3/29/74

FROM : A. B. Fulton

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

SUBJECT: HEARING BEFORE THE HOUSE
COMMITTEE ON INTERNAL SECURITY
CONCERNING THE FEDERAL BUREAU OF
INVESTIGATION'S DOMESTIC
INTELLIGENCE ACTIVITIES

By letter 3/25/74 Assistant Attorney General Petersen, Criminal Division, forwarded a transcript of the testimony of Deputy Assistant Attorney General Maroney before the House Committee on Internal Security (HCIS) on 2/20/74. Maroney's testimony dealt with the domestic intelligence gathering function of the FBI.

During his testimony, Maroney was asked to supply copies of various documents referred to which relate to FBI jurisdiction, instructions given to the Bureau by the Department and other material bearing on our observations in the field of domestic intelligence. In his letter of 3/25/74, Assistant Attorney General, Criminal Division, requested that we make available copies of these various documents and also that we furnish any pertinent comments relative to Maroney's testimony. It is noted that Maroney is scheduled for a second appearance before the HCIS on 4/1/74 and we have been requested to respond to the Department's request cob today, 3/29/74.

ACTION: Attached is letter to Assistant Attorney General, Criminal Division, enclosing various documents of interest in connection with Maroney's testimony. This includes copies of the delimitations agreement between the FBI and military agencies; copies of several letters of instruction directed to the Bureau by the Department; copies of various investigative guidelines governing operations in the security field; and a list of Federal statutes and Executive Orders pertinent to Bureau's internal security responsibilities.

ENC. BEHIND FILE

100-00-1559-X1

The attached letter also includes a discussion of relevant court decisions bearing on FBI jurisdiction and calls attention to several prior Bureau letters to the Department which included the Bureau's observations as to our jurisdiction and authority in intelligence investigations.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

DATE: 4/4/74

FROM : Mr. A. B. Fulton

SUBJECT: ~~INTERNAL SECURITY MATTERS~~

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/ETC

This is to recommend the attached airtel to all SACs be sent emphasizing the importance of our domestic internal security responsibilities particularly with respect to guerrilla-oriented criminal activity.

In recent years we have observed in the domestic internal security field the rise of the urban guerrilla and the terrorist, often motivated by Marxist-Leninist and related revolutionary theories and on occasion, with ties and allegiances to foreign national ideologies. To meet this threat we have concentrated our investigative attention on violence-prone and terrorist-oriented revolutionaries here.

The recent "first U.S. political kidnaping" of Patricia Campbell Hearst by the Symbionese Liberation Army (SLA) accentuates our need to conduct continuing concentrated intelligence investigations aimed at identifying and determining the plans of revolutionary terrorists who adopt guerrilla-type tactics prosecutable under Federal and local statutes.

In the past we have witnessed two sources of revolutionary violent action. The white revolutionary skilled in clandestine know-how who generally targeted property and buildings for violence; and on the other hand the black extremist-type revolutionary who directed his violence against individuals such as police officers. By contrast the current SLA endeavor is multiracial and may represent a merger of the clandestine abilities of intellectual-type white revolutionaries with the more personal violent propensities of black revolutionaries. Coupled with this is the emerging practice of recruitment by revolutionaries of individuals confined to penal institutions thus adding their criminal expertise to revolutionary endeavors. These developments represent the possibility of an even greater threat in the domestic internal security field in the future.

Enclosure -

100-00-1560

CONTINUED - OVER

Memorandum Mr. Fulton to Mr. Wannall
Re: INTERNAL SECURITY MATTERS

The attached airtel brings this domestic security problem to the attention of all SACs, refers to investigative aids currently available to the field which can be used in coping with the threat and stresses the need for all Agents, both criminal and security, to be made aware of and alert to this problem in order to better recognize and combat guerrilla activity.

SACs are instructed to insure all Agents (criminal and security) are cognizant of and kept abreast of developments in these matters. SACs are also instructed to reevaluate the nature, extent, and potential of the urban guerrilla problems within their territory and insure commensurate with that problem that appropriate investigative attention is being given thereto.

RECOMMENDATION:

That the attached airtel to all SACs be sent.

AIRTEL

4/2/74

TO: SAC. ALBANY

FROM: Director, FBI

INTERNAL SECURITY MATTERS

In recent years we have observed in the domestic internal security field the rise of the urban guerrilla and the terrorist. Many of these individuals are motivated by Marxist-Leninist and related theories and an investigation has shown that they often have ties and allegiances to foreign national ideologies. To meet this threat we have been concentrating our investigative attention in the domestic subversive field on such violence-prone and terrorist-oriented revolutionaries here in the United States.

The recent "first U. S. political kidnaping" of Patricia Campbell Hearst by the Symbionese Liberation Army (SLA) accentuates the need for our concentrated investigation in this area. In the past we have witnessed on the one hand the violent action of white revolutionaries skilled in clandestine know-how who generally targeted property and buildings for violence; while on the other hand black extremist-type revolutionaries directed their violence against individuals such as police officers. Significantly, the current SLA affair was multiracial in nature representing a possible merger of the clandestine abilities of intellectual-type white revolutionaries with the more personal violent propensities of the black revolutionary. Coupled with this has been the emerging practice of recruitment by revolutionaries of individuals confined to penal institutions thus adding their criminal expertise to revolutionary endeavors. All of these factors represent the possibility of an even greater threat in the immediate future in the domestic internal security field.

100-00-1560

Airtel to SAC, Albany, et al
Re: INTERNAL SECURITY MATTERS

Although many structured revolutionary and violence-oriented groups of the past have diffused, the individual extremist still exists and in some instances has joined with others in such loose-knit clandestine guerrilla operations. Prime examples thereof include the SLA, members of which have been identified as former Venceremos Organization activists guided by the Revolutionary Union; the Black Liberation Army, which had its origin in the Black Panther Party and other black nationalist groups; and some communes in various parts of the country composed of individuals with New Left and Marxist-Leninist backgrounds who have engaged in bombings, theft of weapons and bank robberies in pursuit of revolutionary goals. It is such individuals as these committed to violating laws through guerrilla tactics outlined by the likes of Carlos Marighella in his "Minimanual of the Urban Guerrilla" that must be our primary investigative targets.

Investigative aids to this end already exist and must be utilized to the maximum by every field office. Section 122A, Item 8, Pages 6-9, of the Manual of Instructions generally sets forth identifying guidelines and procedures for recognizing and combatting urban guerrilla-type operations. Although this manual section is primarily aimed at black-oriented urban guerrilla warfare, there is no restriction to utilizing these guidelines in investigating any guerrilla-type operation by either black, white, nationality-oriented or multiracial conspirators. Periodic publications such as the "FBI Summary of Extremist Activities" and "FBI Police Bulletin" as well as the Weatherman Photo Album, the Arab Terrorist Photo Album and the Extremist Photo Album are already in possession of each office and can be valuable background sources and investigative aids in dealing with guerrilla activity.

It is imperative that all Agents including those working both criminal and security matters are cognizant of and remain alert for violent guerrilla tactics and endeavors by guerrilla-oriented activists. Each SAC should reevaluate the nature, extent and potential of urban guerrilla problems within his territory and insure that commensurate with this problem appropriate investigative attention is being given to it.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

DATE: 5/28/74

FROM : A. B. Fulton

SUBJECT: GLOSSARY OF TERMINOLOGY RELATED
TO INTERNAL SECURITY MATTERS

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2ALM/EHL

Attached for approval is the yellow file copy of a document entitled, "Glossary of Terminology Related to Internal Security Matters," which has been prepared as a result of the suggestion by Inspector Thomas R. Dugan, 10/25/73, with the concurrence of Assistant Director E. S. Miller.

The suggestion indicated that the glossary should be concise and would serve as a ready-reference source of terms encountered by Special Agents, especially those involved in investigations of racially or ethnically oriented extremist organizations, "new left" revolutionary organizations and "old left" or communist revolutionary organizations, as well as of members or followers of such groups.

While the suggestion also called for descriptions of these organizations, none were prepared inasmuch as already existing characterizations are available in field offices in ready-reference form, and an additional set of characterizations might be confusing, would require regular updating of the volume, and could not be done along with the terminology in a concise form. Also, a listing of key personnel of the above groups was omitted from the document, although suggested, in order to avoid unnecessary updating and to keep the document brief.

The original of the glossary is being held in the IS - 3 Section, which will arrange for printing and distribution to the field following approval of the yellow copy, attached.

Enclosure

100-00-1565

Memorandum to Mr. W. R. Wannall

Re: Glossary of Terminology Related to Internal Security Matters

RECOMMENDATION:

That the prepared glossary be approved for printing and distribution to the field.

**GLOSSARY
OF
TERMINOLOGY
RELATED TO
INTERNAL SECURITY MATTERS**

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/15/00 BY SP2 ALM/EHL

Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

May 24, 1974

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INTRODUCTION

This glossary of terminology has been compiled as an aid to Special Agents, especially those conducting investigations in the field of internal security matters. While not all-inclusive in scope, it is a ready-reference source containing a considerable number of terms which are encountered in investigations related to racially or ethnically oriented extremist organizations, "new left" revolutionary organizations, and "old left" or communist revolutionary organizations, as well as to members and followers of such organizations..

The terms and definitions thereof are related to the purposes, ideologies, organizational setups, and activities of various groups in the United States, some of which are under active investigation by the FBI for possible violations of statutes related to internal security matters. On the other hand, it should be noted that some of the terms and definitions thereof have come into common use by elements beyond the scope of FBI responsibilities.

TERMINOLOGY RELATED TO RACIALLY OR ETHNICALLY
ORIENTED EXTREMIST ORGANIZATIONS

BABYLON

A derogatory term used to denote the United States.

BROWN

A Mexican or Mexican-American.

BURNING CROSS

The KKK symbol of terror, threat, and intimidation--the forerunner of more drastic action.

BURN THE PIG

Kill a cop.

CADRE

Unit or branch of the Black Panther Party; workers or active participants.

GESTAPO

Highway patrol.

A GOOD PIG

A dead policeman.

GRAND DRAGON

The head state officer (President) in each area of the KKK.

GRAY BOYS

Boys of the Caucasian race.

HONKEY

Anyone who is white.

IMPERIAL WIZARD

The top Klan leader of a KKK organization.

JASPER

Used to describe a black of white pigmentation.

JIVE CAT

Insincere person.

JIVE TALK

Unreliable speech, or any verbal account that is not acceptable or is false.

KKK

Ku Klux Klan.

KLAVERNS

Units in the Ku Klux Klan.

LIBERATE

To steal; known on the street as "rip off."

LUMPEN

A term of derision applied to blacks who exhibit complacency regarding the black status quo.

MOLOTOV COCKTAILS

A homemade incendiary device, usually consisting of a bottle filled with gasoline or an alcohol mixture, and usually a rag wick.

NEGRO

Persons of the black race who are mentally identified with the "system"; someone who is mentally close to an "Uncle Tom."

NOISE IN THE EAST
STRIKE IN THE WEST

Diversionary tactics.

OFF THE PIGS

Kill the police.

OREO

An Uncle Tom, literally a Negro, who like the cookie of the same name is black on the outside and white on the inside.

PANTHER CRIB

Living quarters for the Black Panther Party.

PIGS

All law enforcement officers.

PIG PEN

Police headquarters.

PIG POWER STRUCTURE

The U. S. Government.

POLITICAL PRISONERS

Revolutionaries, both black and white, who are serving prison terms for criminal violations resulting from radical or terrorist activities.

PORK CHOP NATIONALIST

Group accepting Government funds.

POWER TO THE PEOPLE

Salutation.

REVOLUTIONARY PAN-AFRICANISM

A concept exploited by black extremists which advocates the unity of all people of African descent in a worldwide war of liberation against imperialism. The white ruling class in the United States is seen as the center of world imperialism; thus it must be destroyed.

SUPER PIG

FBI Agent; an assassin for the Government.

TECHNICAL EQUIPMENT

Arms, ammo, Molotov cocktails, et cetera.

TERRORISM

The use of violence, especially as a political weapon, to intimidate or subjugate.

THE MAN

Police officer.

THIRD WORLD

A term "coined" at the Bandung Conference held in Bandung, Indonesia, in 1955. The Third World encompasses all the nonwhite peoples of the world not included in the First World--the Western World headed by the United States, and the Second World--headed by the Soviets and the Soviet Bloc.

UNCLE TOM

Derogatory connotation referring to a Black possessing white attitudes and values.

URBAN GUERRILLA WARFARE

Usually violent criminal activity for revolutionary and/or antiestablishment purposes, conducted within urban societies.

VANGUARD

First in line or leader of the revolution.

TERMINOLOGY RELATED TO
"NEW LEFT" REVOLUTIONARY GROUPS

AMERIKA

America or United States in derogatory sense or fascistic.

BABYLON

A derogatory term used to denote the United States.

COMMUNE

"New Left" revolutionary groups view a commune as an area of living where two or more people of like or different sexes live in a life-style which generally includes the sharing of sex, drugs, food and duties, as well as to seek common social, economic, or political goals.

COP OUT

To withdraw; to evade responsibility; to confess to the police.

CRASH PAD

A temporary place to sleep; apartment in a big city maintained for revolving tenants, furnished wall to wall with bare mattresses.

ESTABLISHMENT

The power structure of American society; the "system," used in a derogatory sense.

FADE

A white person; a Negro who prefers white friends or white attitudes over those of his own race.

FREAK OUT or FLIP OUT

Any aberrant behavior, from having a nervous breakdown to acting bizarrely, especially when under the influence of drugs.

HARD JOHN

Field Agent of the FBI.

LUMPEN PROLETARIANS

The de-classified section of society, i.e., skid row people, pimps, prostitutes, dope addicts, et cetera. Originally a Communist term but adopted by the New Left.

MILITARY-INDUSTRIAL COMPLEX

Alleged effort by military and industrial leaders to control U. S. Government and society.

OFF THE PIGS

Kill the police.

PARTICIPATORY DEMOCRACY

SDS-originated theory that every individual has the right to control his own destiny.

PLASTIC

Phoney or fake.

PROVOS

A group that helps hippies throughout the country, and who claim to be made up of subversive elements that provoke law and order problems.

RIP OFF

To steal; liberate.

SAM

Federal narcotic agent.

THE MAN

The enemy, cop, the Establishment.

TRASH

Break windows or cause other type of damage.

VENCEREMOS

"We Shall Conquer."

TERMINOLOGY RELATED TO "OLD LEFT" OR COMMUNIST REVOLUTIONARY GROUPS

ANARCHISM

A theory that all forms of government interfere with individual liberty and are thus undesirable and should be eliminated by violence if necessary.

BOURGEOISIE

The "capitalist" class, which includes not only the wealthy but also the middle-class. To communists, the bourgeoisie is a class enemy which must be destroyed.

CADRE

The trusted inner circle of trained members and leaders on whom the communist parties can depend to carry out policies and programs without any questions or objections.

CAPITALISM

Capitalism, according to Marxist-Leninists, is an economic system based on private ownership of property, the private control of the means of production, and the private accumulation and use of profits. It is regarded as a form of exploitation of one class--the proletariat or workers--by a second one--the owners of property and the means of production.

CELL

The lowest organizational unit of a communist party.

CENTRAL COMMITTEE, ALSO REFERRED TO AS NATIONAL CENTRAL COMMITTEE OR POLITBURO

The leading leadership organization which conducts affairs of communist parties between conventions.

CLASS

A section of a given population that, according to communists, occupies a specific relation to means of production: (1) the capitalist or bourgeoisie class which owns property and the means of production; and (2) the wage-earners, proletariat, or working class. In highly developed countries like the United States, there is also the "middle class" or "petty bourgeoisie."

COEXISTENCE

(See Peaceful Coexistence)

COLLECTIVE, also CELL

The lowest organizational unit of a communist party.

COLONIALISM

The stage of capitalistic development, according to communists, wherein capitalism captured overseas colonies in its search for markets. Today, the word is applied by communists to almost any form of aid or influence extended by the West to lesser developed countries.

COMMUNE

Initially indicated small social units with common use and ownership of land and implements and common sharing of production. In communist context, refers to a group united for revolutionary purposes, as the Paris Commune in 1871 which briefly held power.

COMMUNISM (MARXISM-LENINISM)

A doctrine and program based on Marx, Engels, Lenin and others, which regards history as a relentless class struggle leading eventually to a proletarian revolution and the dictatorship of the proletariat with state ownership of the means of production and control of social, economic, political, and cultural activities by a single, authoritarian party that will eventually become a classless society. Also known as Marxist scientific socialism.

CULTURAL REVOLUTION (GREAT PROLETARIAN CULTURAL REVOLUTION)

A period of internal political struggle in the People's Republic of China (PRC) during 1966-1969; interpreted by the West as an effort by MAO Tse-tung to consolidate his power.

DEMOCRACY

According to communists, a capitalist democracy oppresses the workers while only after communists seize power can there be a proletarian democracy which will be supplanted under full communism with its classless and stateless form.

COMMUNISM (stages of development)

The first or lower stage, called socialism, is the society immediately after the proletarian revolution. The state is needed to suppress vestiges of capitalism and the main principle will be "from each according to his ability, to each according to his work." In this transitory period, capitalistic characteristics will gradually disappear and the state will "wither away" as the threshold of the final stage, communism, will be reached with a stateless, classless society in which the main principle will be "from each according to his ability, to each according to his needs."

DEMOCRATIC CENTRALISM

The rigid principle that the decisions of the highest body in a communist party (even though dominated by one man) are binding upon all lower bodies or organizational units in the party.

DEVIATIONISM

A term used by Marxists-Leninists to identify "political errors."
A deviation from set policy and practice may result in discipline.

DIALECTICAL MATERIALISM

A doctrine stemming from Karl Marx and combining a materialistic concept of the universe with the dialectical method, which states that there is continual growth, change, and development in matter and the world. The changes occur as in the dialectic (the art of reasoning) in which one idea (a thesis) is tested against another idea (antithesis) to provide a synthesis, which is a new idea produced by the clash of opposites inherent in the thesis and antithesis and combining the best characteristics of both.

The materialistic belief and the concept of continual growth, change, and development as applied to history is called the theory of historical materialism. By this, communists explain that society has developed from primitive communal forms through slave and feudal systems to the capitalistic system which will, because of the inherent class struggle in that system, later be overturned and communism will develop as the highest and final stage of society for man.

DICTATORSHIP OF THE PROLETARIAT

The forcible dictatorship of a communist party whereby capitalist opposition is crushed after the communist seizure of power and prior to reaching the classless society of communism.

FASCISM

A political philosophy, movement, or regime standing for a one party dictatorship, forcible oppression of the opposition, retention of private ownership of means of production under centralized governmental control, belligerent nationalism and glorification of war.

FRIENDS

A term used by the officials of the People's Republic of China in referring to independent sympathetic revolutionaries as distinguished from pro-Maoist-Marxist-Leninist elements referred to as "comrades."

HISTORICAL MATERIALISM

Historical materialism is the extension of the principles of dialectical materialism to the study of history and a prediction that communism will follow the overthrow of capitalism.

IMPERIALISM

The last stage of capitalism which develops when capital and production become concentrated in the hands of a few individuals who practice capitalist exploitation in colonial areas in seeking outlets for goods produced and raw materials for manufacturing.

LABOR ARISTOCRACY

Usually, the highest paid element of the working class that has been "bought" by capitalists.

LEFT DOGMATIST or LEFT SECTARIAN

A rigid purist in Marxist-Leninist ideology who will not sacrifice principle, even if doing so temporarily might further long-range goals of the revolution.

LENINISM

Development of Marx's theories on the class struggle and revolution by Lenin into practical strategy and tactics to bring about a revolution under leadership of a communist party.

LUMPEN-PROLETARIAT

Phrase of contempt used by communists to describe workers who take support from state or private charities but who reject communism. Because of lack of militancy, these workers are considered useless to a communist movement.

MAOISM

The name applied to the version of Marxism developed in and for China by Chairman MAO Tse-tung, Communist Party of China. Maoism also refers to the development of tactics for guerrilla warfare by which the Chinese revolution was sustained.

MARXISM

The political, economic, and social principles and policies advocated by Marx in opposition to capitalism, including the class struggle, revolution, and dictatorship of the proletariat.

MARXISM-LENINISM

A set of doctrines created by Marx and added to by Lenin for application to advance the proletarian revolution.

MASS ORGANIZATION

Non-communist organizations, such as labor unions, churches, fraternal organizations, cultural groups, peace groups, and the likes, are the targets of Marxist-Leninists seeking to infiltrate, dominate, or indirectly control such organizations. Marxist-Leninist endeavor to conceal their basic affiliation while working in mass organizations to inject communist objectives.

MODERN REVISIONISM

Considered by Marxist-Leninists as the most dangerous perversion. Modern revisionism declares Marxist-Leninism as outmoded, denies the necessity of proletarian revolution and dictatorship of the proletariat and demands the rejection of Leninist principles of organization and democratic centralism. Maoists describe the Soviets as modern revisionists or social imperialists, while the Soviets accuse the Chinese communists of distorting Marxism-Leninism.

OPPORTUNISM

Actions contrary to wishes of the communist party or any approval of capitalism.

PAPER TIGER

Derisive Chinese communist term for the power of the Western world, particularly that of the United States.

PARTY LINE

The total of a communist party's decisions, aims, programs, and demands at any given time. Distinction must be made between the deceptive party line (programs designed for public consumption) and the real party line (the true party purpose designed to advance the interest of communism).

PEACEFUL COEXISTENCE

A Leninist principle developed mainly by Khrushchev that sets aside, but only on a temporary tactical basis, the open pursuit of the communist goal of world conquest to allegedly engage in peaceful competition, especially in economic matters, with noncommunist nations.

PERMANENT REVOLUTION

The theory of Trotsky that communism requires uninterrupted revolutionary effort throughout the world, contrary to Stalin's decision that communism should be well developed in one country before spreading it throughout the world.

PROLETARIAT

The workers or the working class.

PROLETARIAN DEMOCRACY

The only "true" democracy, according to communists, because it is controlled by the worker majority and not by a minority as alleged in a capitalist democracy.

PROLETARIAN REVOLUTION

Seizure, by force and violence whenever necessary, of the government or state political power by the proletarians or working class led by the communist party--the vanguard of the proletariat.

RANK AND FILE

A reference to the general membership of an organization, party or union as opposed to the leadership.

REVISIONISM (REFORMISM)

As used by communists, it is a criticism of any revision of Marxist-Leninist principles which tends to be a drift to the "right." A drift to the "left" is called dogmatism.

RIGHT OPPORTUNISM

Abandoning Marxist-Leninist principles in order to gain a political advantage by working with the enemies of communism.

SCIENTIFIC SOCIALISM (MARXIST)

See Communism.

SECRETARIAT

The active officers or leaders of a communist party who usually conduct the day-to-day business of the organization in behalf of a central committee.

SECTARIANISM

The refusal to adopt flexible tactics or to compromise for the moment to achieve a greater gain later.

SELF-CRITICISM

A technique ostensibly to detect and correct weaknesses in communist party circles, but actually to enforce communist discipline. Each member is encouraged to constantly examine failures to do party bidding by others and by himself.

SINO-SOVIET SPLIT

Friction between Moscow and Peking, apparent since mid-1950's, burst into open controversy in January, 1963, with attacks and counterattacks appearing in both Russian and Chinese communist official newspapers. The Sino-Soviet split has disintegrated the monolithic international communist movement. As of 1974, there is no indication the dispute between the Soviets and the Chinese is to be settled soon.

SOCIAL DEMOCRAT

One interested in reforms but not revolution.

SOCIAL IMPERIALIST

A descriptive reference used by the Chinese communists to describe the revisionism of the Soviet Union, socialist country, collaborating with a capitalist or imperialist country.

STRATEGY

Marxists describe strategy as concerned with the long-range objectives of a movement. Tactics are concerned with day-to-day operations.

TROTSKYISM

Marxism-Leninism as interpreted by Leon Trotsky; with emphasis on permanent worldwide revolution and support for the Soviet workers state, while critical of the Soviet bureaucracy and the abuses of Stalin. To the Soviets, pro-Soviets, and the Chinese communists, Trotskyism today means a forbidden deviation from the party line. Trotsky was exiled by Stalin in 1929 and assassinated in Mexico in 1940 by a reported Stalinist agent.

TROTSKYITE, aka TROT

A follower of Leon Trotsky and archenemy of the Soviet Communist Party.

TROTSKYIST

An individual who adheres to the teachings of Marx, Engels, and Lenin, as interpreted by Trotsky.

UNITED FRONT

A revolutionary tactic designed to secure the support of non-communists for Party objectives. This generally involves Party manipulation of noncommunist groups, usually on some current issue such as "peace" or "civil rights," whereby the Party, while maintaining its independence role, cooperates with others to work for certain goals. To noncommunists the goal is advancement of the good of society; to communists, the revolution.

VANGUARD OF THE PROLETARIAT

Term applied to the role of the Communist Party as the leader or teacher of the proletariat. Communists also talk of the Party as the "general staff" of the revolution.

Mr. W. R. Wannall

6/14/74

R. L. Shackelford

CHARACTERIZATIONS OF SUBVERSIVE
ORGANIZATIONS AND PUBLICATIONS
(THUMBNAIL SKETCHES)

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP3 ARM/EHL

PREDICATIONS FOR INVESTIGATION

SYNOPSIS

Recommendations being made that annual (6/1) thumbnail sketch program and method of preparing predications for investigation be revised. Prevailing instructions require that by 6/1, annually, field is to submit for Headquarters (HQ) approval characterizations of subversive organizations and publications. These have consisted of two versions -- a lengthy one for use in Security of Government Employees (SGE) and applicant-type cases and an abbreviated one for use in security-type cases. To develop uniformity and facility in handling this program, it is recommended that a single concise, but complete, characterization of each organization and publication of investigative interest be prepared for use in SGE and applicant-type communications as well as those of a security-type. The field will continue to prepare sketches of local interest, while HQ substantive supervisors will henceforth prepare those of field-wide interest, which are the type that have been sent through HQ channels for approval before dispatch to field for circulation to all offices. Because descriptive information set forth in a predication for investigation of an organization -- showing statutory basis for same -- is similar to characterization of the organization, field will henceforth utilize HQ-approved characterizations interchangeably as descriptive paragraphs in predications.

Enclosure

RECOMMENDATIONS -- PAGE 1a

100-00-1576

Memorandum to Mr. W. R. Wannall
Re: Characterizations Of Subversive
Organizations And Publications
(Thumbnail Sketches)

Predications For Investigation
100-7254

RECOMMENDATIONS

I. That approval be granted for preparation of a single concise, but complete, characterization of each organization and publication of investigative interest, in place of the presently required lengthy and abbreviated versions.

II. That substantive supervisors at HQ henceforth prepare sketches of field-wide interest.

III. That field be authorized to utilize HQ-approved characterizations of organizations in connection with predications for investigation. An example of a predication, that of the Communist Party, USA (CPUSA), utilizing a characterization of CPUSA as descriptive information of the organization (paragraph two), is enclosed for assistance and information. (In instances where a predication is required, both paragraphs of enclosure would be utilized. In instances where a characterization is required, second paragraph only of the enclosure would be utilized.)

Memorandum to Mr. W. R. Wannall
Re: Characterizations Of Subversive
Organizations And Publications
(Thumbnail Sketches)

Predications For Investigation
100-7254

DETAILS

Prevailing instructions require that annually, by 6/1, field (offices of origin) submit for HQ approval characterizations of subversive organizations and publications. These have consisted of two versions of each sketch -- a lengthy one for use in reports and letterhead memoranda (LHMs) in SGE and applicant-type cases and an abbreviated one for use in security-type cases. Following HQ review and approval by substantive desk handling case, a copy of each version has been stamped "Approved" and returned to the originator. A small percentage of these sketches, adjudged of field-wide interest, have been sent through HQ channels for approval before dispatch to field bearing stamp, "Field-wide Interest." Upon receipt by office of origin, a sketch of field-wide interest has been reproduced there and one copy sent to each field office by routing slip.

In compliance with instructions in revised Section 87, Manual of Instructions, predications of subversive organizations, leaders and members were sent to the field. These are used in communications prepared by the field to predicate each investigation on a statutory basis.

Since the President abolished the Attorney General's (AG) list of subversive organizations by Executive Order (EO) 11785 on 6/4/74, field has been instructed to make no further reference to this list, relative to citation by the AG under EO 10450, in characterizations utilized in reports and LHMs and predications for investigation. Field was also instructed to use the short form of characterizations only in communications being prepared for dissemination in Subversive Matters (SM), Internal Security (IS) and Extremist Matters (EM) categories, and advised that annual characterization program was being revised.

Memorandum to Mr. W. R. Wannall
Re: Characterizations Of Subversive
Organizations And Publications
(Thumbnail Sketches)

Predications For Investigation
100-7254

It is desirable that we develop uniformity in the characterization program. Experience with the annual program has shown that field's preparation of two versions of sketches -- lengthy and abbreviated -- has been time consuming and complicated without adequate compensating results. Long and short versions are occasionally not in agreement as to information set forth. Consequently, it has been necessary, on occasion, to instruct field to resubmit corrected sketches, or corrections have been handled by HQ desk and the field appropriately advised. It appears, therefore, that program could be handled with greater facility by preparation of a single concise, but complete, characterization for each organization and publication, which could be used in SGE and applicant-type communications as well as SM, IS and EM communications. The field will continue to prepare sketches of each organization and publication of local interest and will be instructed to resubmit sketches already submitted in dual form. HQ substantive supervisors will prepare sketches of field-wide interest. Latter sketches, which are presently prepared by the field and approved through HQ channels, could then be prepared with greater facility at HQ.

Descriptive information set forth in a predication for investigation of an organization is often similar to the characterization of that organization. This similarity has caused a certain amount of confusion in the field, which occasionally fails to include HQ-authorized predications in communications. A recurring error in this regard is substitution of the characterization for the descriptive information concerning the organization in the predication. This problem can be overcome by having field utilize approved characterizations of organizations interchangeably as descriptive paragraphs in predications of those organizations. This will simplify field's reporting requirements and insure that predications are maintained in a current status, since characterizations are regularly reviewed as to currency. Appropriate instructions will be issued to field and HQ supervisors concerning implementation of revised characterization program and preparation of predications upon approval of foregoing recommendations.

PREDICATION FOR INVESTIGATION OF ORGANIZATION
COMMUNIST PARTY, USA (CPUSA)

This investigation is based on information which indicates that captioned organization is engaged in activities which could involve a violation of Title 18, USC, 2385 (Advocating Overthrow of the Government), 2383 (Rebellion or Insurrection), 2384 (Seditious Conspiracy); or Title 50, USC, 781-798 (Internal Security Act of 1950).

Title 50, USC, Section 781 (Internal Security Act of 1950) stated that, as a result of evidence adduced before various committees of the Senate and House of Representatives, Congress found the existence of a world communist revolutionary movement, whose purpose is to establish a communist totalitarian dictatorship in the world's countries through the medium of a world-wide communist organization. Communist action organizations in various countries endeavor to carry out the objectives of the world communist movement by bringing about the overthrow of existing governments by any means. The communist organization in the United States -- the CPUSA -- pursuing its stated objectives, presents "a clear and present danger to the security of the United States." The Subversive Activities Control Board, established by Section 791 of the above Act, found the CPUSA to be a communist action organization. This finding was upheld by the United States Supreme Court in June, 1961. The CPUSA has continued to be an arm of the international communist movement dominated by the Soviet Union. The CPUSA, in its dependence on the Soviet Union, has never knowingly adopted a position contrary to Soviet policy. Its leaders frequently confer with Soviet leaders to receive guidance and direction on the policies the CPUSA is to follow. There has been no evidence that the primary aims of the CPUSA, as they conform to Soviet objectives, have changed over the years.

Mr. W. R. Wannall

6/25/74

R. L. Shackelford

CHARACTERIZATIONS OF
SUBVERSIVE ORGANIZATIONS
AND PUBLICATIONS
(THUMBNAIL SKETCHES)

PREDICATIONS FOR INVESTIGATION

MD R-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2ALM/EHL

SYNOPSIS

Recommendation being made that airtel be sent to all offices advising of procedural changes in program relating to annual preparation and submissions of characterizations of organizations and publications, and that such characterizations, following approval by Headquarters (HQ), will now be utilized as descriptive paragraphs in predications for investigation. Single concise, but complete, characterizations will now be prepared and HQ supervisors will prepare characterizations of field-wide interest. These will be approved through HQ channels, routed through Special Investigative Division for review. Effective annual date for preparation of field-wide items to be 3/1, in advance of 6/1 annual date for field's preparation of characterizations of local interest. This will appropriately notify field which organizations and publications not to be characterized by field.

RECOMMENDATIONS

I. That enclosed airtel be sent to all offices furnishing instructions relative to procedural changes in annual characterization program and in preparation of predications for investigation. Copies of predication for investigation of Communist Party, USA, which was previously approved along with my below-mentioned memorandum, are enclosed with the airtel to assist field in understanding latter change.

Enclosures

100-00-1577

RECOMMENDATIONS CONTINUED - PAGE 1a

Memorandum to Mr. W. R. Wannall
Re: Characterizations Of Subversive
Organizations And Publications
(Thumbnail Sketches)

Predications For Investigation

II. That effective annual date for preparation of field-wide characterizations by HQ supervisors be set at 3/1 and that such characterizations be sent through HQ channels for approval, routed through Special Investigative Division for review.

- 1a -

DETAILS - PAGE 2

Memorandum to Mr. W. R. Wannall
Re: Characterizations Of Subversive
Organizations And Publications
(Thumbnail Sketches)

Predications For Investigation

DETAILS

My memorandum dated 6/14/74, which was approved, recommended that a single concise, but complete, characterization of each organization and publication of investigative interest be prepared in place of previously required lengthy and abbreviated versions, and that substantive HQ supervisors henceforth prepare characterizations of field-wide interest. Field will continue to prepare characterizations of organizations and publications of local interest and is being instructed to resubmit characterizations already submitted in dual form. It was also recommended and approved that field be authorized to utilize HQ-approved characterizations as descriptive paragraphs of predications for investigation of organizations.

Approved changes relate to annual (6/1) characterization program, which requires that field submit characterizations of organizations and publications for HQ approval. Lengthy versions were used in Security of Government Employees (SGE) and applicant-type cases and abbreviated versions in security-type cases. For sake of uniformity and facility in handling this program, a single concise, but complete, characterization will now be prepared for use in reports and letterhead memoranda (LHMs) in all cases. A small percentage of characterizations that are of field-wide interest were previously prepared by the field and sent through HQ channels for approval before return to the originating office bearing the stamp "Field-wide Interest," for reproduction and dissemination of copies of same by routing slip to all offices. These will now be prepared by HQ substantive supervisors for sake of facility in handling.

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Characterizations Of Subversive
Organizations And Publications
(Thumbnail Sketches)

Predications For Investigation

Since descriptive information set forth in a predication for investigation of an organization -- showing statutory basis for same -- is often similar to the characterization of the organization, characterizations will henceforth be utilized interchangeably by the field as descriptive paragraphs in predications. This change was made to simplify field's reporting requirements and to insure the currency of predications, inasmuch as characterizations are regularly reviewed to insure they have current applicability.

Inasmuch as characterizations of field-wide interest will now be prepared at HQ, Intelligence Division supervisors will be separately instructed relative to handling. Approval will be made of these characterizations through HQ channels, routed through for review of Special Investigative Division, which utilizes such characterizations in SGE and applicant-type communications. Upon approval, these characterizations will be disseminated by HQ to all field offices. To provide field with identities of organizations and publications, whose characterizations are regarded by HQ as of field-wide interest, effective date for preparation of field-wide items by HQ supervisors should, in future, be in advance of the general 6/1 annual characterization program. It is believed that an effective annual date of 3/1 for this purpose would permit preparation of field-wide characterizations in sufficient time to enable the field to be appropriately notified and, therefore, to know which organizations and publications not to be characterized by field. On some occasions, information relating to a newly investigated subversive organization does not yield a clear-cut basis for determination by an office of origin as to whether a characterization would or would not be of field-wide interest. Field is being instructed to communicate with HQ in these instances for appropriate guidance.

Airtel

To: SAC, Albany (Enclosure)

From: Director, FBI

DATE: 7-8-74

CHARACTERIZATIONS OF SUBVERSIVE
ORGANIZATIONS AND PUBLICATIONS
(THUMBNAIL SKETCHES)

✓ PREDICATIONS FOR INVESTIGATION

 ReButels 6/6,7/74.

This is to advise you of procedural changes being made in handling of annual characterization program.

Effective immediately, preparation of characterizations in dual form -- lengthy and abbreviated versions -- is discontinued. Henceforth, a single concise, but complete, characterization is to be prepared of each organization and publication of investigative interest. Characterizations of local interest, which have already been submitted under the former procedures, are to be resubmitted promptly in single form for Headquarters (HQ) approval.

Characterizations of field-wide interest, which may be identified by reference to those previously approved and returned to the field, will now be prepared by HQ substantive supervisors. These will be disseminated by HQ to all field offices, appropriately designated as of field-wide interest.

New procedures apply to annual program of submitting characterizations by 6/1 as well as to characterizations of local interest approved on a case-by-case basis throughout the year. Whenever a question arises as to whether a characterization of an organization that is a new subject of investigation

3 - All Offices (Enclosure)

*U.R. (above 100-85-1573)
original in 100-7234-5208X*

MDR-16

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/5/00 BY SP2 ALM/EHL

Airtel to SAC, Albany

Re: Characterizations of Subversive
Organizations and Publications
(Thumbnail Sketches)

Predications for Investigation

is or is not of field-wide interest, furnish succinct background of matter to HQ for a decision and appropriate handling. To further assist the field in its preparation and submissions of characterizations on the next program date (6/1/75), HQ will have an effective date of 3/1/75 for the preparation of characterizations of field-wide interest. These will be sent to respective field offices (of origin) sufficiently in advance to enable offices to know, by method of elimination, which characterizations are of local or nonfield-wide interest, and accordingly, which ones are to be prepared by the field.

Another development in this matter involves the preparation of predications for investigation of organizations on statutory bases. Experience has shown that a certain amount of confusion has existed in the field relative to the reporting of predications. In submitting communications incorporating predications, offices have often substituted a characterization of an organization in the body of the predication for the descriptive paragraph(s) that had been approved at HQ. This appears to have been due to the similarity that has often existed between characterizations of certain organizations and descriptive information concerning these organizations in predications. To eliminate this problem and to simplify the field's reporting procedures, henceforth utilize HQ-approved characterizations interchangeably as descriptive paragraphs in predications. You may continue to utilize predication previously sent to the field by HQ until the new characterizations prepared under the revised program have been approved at HQ and sent to field. Enclosed for your assistance in handling this new procedure is a recently approved field-wide characterization of the Communist Party, USA (CPUSA), appearing in paragraph two in a predication for investigation of the Party. The second paragraph only will now be utilized by the field in reports and LHM's, where mention is made of the CPUSA, to characterize the CPUSA, which was not previously characterized in disseminative communications. In instances where a predication is required, both paragraphs of the enclosure will be utilized.

You may reproduce instant communication and enclosure as necessary to implement foregoing changes in your office. Manual and FBI Agents Handbook changes to follow.

Airtel to SAC, Albany
Re: Characterizations of Subversive
Organizations and Publications

Predications for Investigation

NOTE:

See R. L. Shackelford to Mr. W. R. Wannall
memorandum, 6/25/74, prepared by LJB:dkp.

PREDICATION FOR INVESTIGATION OF ORGANIZATION
COMMUNIST PARTY, USA (CPUSA)

This investigation is based on information which indicates that captioned organization is engaged in activities which could involve a violation of Title 18, USC, 2385 (Advocating Overthrow of the Government), 2383 (Rebellion or Insurrection), 2384 (Seditious Conspiracy); or Title 50, USC, 781-798 (Internal Security Act of 1950).

Title 50, USC, Section 781 (Internal Security Act of 1950) stated that, as a result of evidence adduced before various committees of the Senate and House of Representatives, Congress found the existence of a world communist revolutionary movement, whose purpose is to establish a communist totalitarian dictatorship in the world's countries through the medium of a world-wide communist organization. Communist action organizations in various countries endeavor to carry out the objectives of the world communist movement by bringing about the overthrow of existing governments by any means. The communist organization in the United States -- the CPUSA -- pursuing its stated objectives, presents "a clear and present danger to the security of the United States." The Subversive Activities Control Board, established by Section 791 of the above Act, found the CPUSA to be a communist action organization. This finding was upheld by the United States Supreme Court in June, 1961. The CPUSA has continued to be an arm of the international communist movement dominated by the Soviet Union. The CPUSA, in its dependence on the Soviet Union, has never knowingly adopted a position contrary to Soviet policy. Its leaders frequently confer with Soviet leaders to receive guidance and direction on the policies the CPUSA is to follow. There has been no evidence that the primary aims of the CPUSA, as they conform to Soviet objectives, have changed over the years.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7/8/74

FROM : Mr. W. R. Wannall

SUBJECT: TESTIMONY OF W. R. WANNALL
BEFORE HOUSE COMMITTEE ON
INTERNAL SECURITY 6/4-5/74
CONCERNING FBI JURISDICTION

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/5/00 BY SP2ALM/EHL

On June 4 and 5, 1974, I appeared before the House Committee on Internal Security, chaired by Congressman Richard H. Ichord, to testify concerning FBI jurisdiction in security-intelligence investigations. I was accompanied by Inspector T. J. Smith of Intelligence Division and SA Robert Egan of Special Investigative Division.

Pursuant to rule adopted by the Committee, authority was granted to revise and extend any testimony given before the Committee and to correct such testimony where necessary.

Accordingly, a copy of the transcript of testimony was provided to me for the purpose of making any corrections, and to revise and extend my initial testimony as deemed necessary and appropriate. I have reviewed the testimony and where appropriate I have corrected, revised and/or extended the testimony for purposes of clarity correctness. The corrections are shown in the attached copies in red. The original testimony is retained in Intelligence Division and if the corrections made in attached are approved, the original revised transcript will be returned to the Committee by the Congressional Services Office of External Affairs.

RECOMMENDATION:

That the testimony, as corrected, revised and/or extended, as shown in attached, be approved for delivery to the House Committee on Internal Security.

100-00-1567

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Wannall

DATE: 7/10/74

FROM : A. B. Fulton

MDR-16

SUBJECT: SUBVERSIVE AND EXTREMIST
INVESTIGATIONS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

PROPOSED CHANGE IN REPORTING PROCEDURES

Reurmemo 6/28/74, recommending that for six-month trial period we adopt summary reporting system in a number of our subversive and extremist investigations. You recommended that at conclusion of trial period we would resolve with U. S. Archivist whether it would be necessary to retain full details of investigation in field office files.

Mr. Kelley inquired (1) why we do not resolve question of retention of field files now and (2) why FBIHQ needs synopsis in these cases, i. e., whether we need any reports at all. He suggested that similar practice has already been used in certain types of cases. The following observations are set forth in response to the Director's questions.

Question of whether we would have to retain details of investigation in field files could be taken up with U. S. Archivist at any time, but we believe this should be deferred until trial period is completed. Based on our experience during this period, we may want to make certain modifications in new reporting procedure. Thus, we will be in a better position to discuss matter with Archives following the trial period and after any "bugs" have been ironed out. If we adopt summary-type reporting procedure permanently we can, of course, do so regardless of the outcome of discussions with Archives. Concurrence of latter is needed relative to issue of file retention in field but would not preclude us from using summary procedure in any event. Under current rules, our field offices maintain subversive and extremist files for a 20-year period and the question of file retention is therefore not pressing.

With respect to Director's second question, it is true that in certain criminal matters the field has not been required to submit anything to FBIHQ. However, when dealing with security and extremist investigations, there are considerations involved which make it mandatory that Headquarters receive certain essential information regarding each investigation. 10/10/74

1-Beginning with President Roosevelt's directives of 1939, the FBI has been charged with the basic responsibility of serving as a clearing house for all information affecting the internal security of the U. S. All law

Memorandum to Mr. Wannall

Re: SUBVERSIVE AND EXTREMIST INVESTIGATIONS
PROPOSED CHANGE IN REPORTING PROCEDURES

enforcement officers and Federal agencies, as well as private citizens, have been requested to report information regarding subversive and related matters to the Bureau. We, in turn, have the responsibility of correlating this data and referring information of interest to other Federal agencies to them. Unless we receive basic information from the field as to the identities of subversive and extremist individuals, we could not fulfill this responsibility.

2-Bureau has a number of specific agreements with other Federal agencies requiring us to furnish them with information within their areas of interest. These include the Delimitations Agreement between the Bureau and the armed forces intelligence agencies; a Memorandum of Understanding adopted in 1955 by the Departments of Justice and Defense; and our agreement with Secret Service regarding Presidential protection. The receipt of summary-type reports from the field will enable us to fulfill these dissemination responsibilities, but we could not satisfy our obligations if all information were retained in the field.

3-Executive Order 10450 (Security of Government Employee program) specifically requires the FBI to check the names of all civil applicants and incumbents of the Executive Branch against our records. In order to meet this responsibility FBIHQ records must contain the identities of all persons connected with subversive or extremist activities, together with necessary identifying information.

4-In addition to the above commitments, it is believed that we should receive at least a summary of all subversive and extremist investigations at FBIHQ in order to meet our overall internal security responsibilities. As indicated in your memorandum of 6/28/74, FBIHQ supervisors do not need to follow many of these subversive and extremist investigations in detail nor do we require reports containing every scrap of information developed during the field inquiry. However, FBIHQ does have a broad responsibility to recognize and follow major trends and patterns of subversive and extremist activity; to coordinate information being reported by the various field offices; and to detect and remedy any deficiencies or poor investigative practices developing in the field. It is believed that the receipt of summary-type reports from the field with regard to rank-and-file subversives and extremists will allow us to carry out these functions without bogging us down in meaningless detail.

ACTION: (1) This is for the Director's information.

(2) If approved, we will prepare specific guidelines and institute the summary-type reporting procedure throughout the field on a six-month trial basis.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

DATE: 7/30/74

FROM : A. B. Fulton

SUBJECT: HOUSE COMMITTEE ON INTERNAL
SECURITY (HCIS) HEARINGS ON FBI
DOMESTIC INTELLIGENCE
GATHERING FUNCTION

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 AEM/EHL

Reference Franck to Callahan memo 1/28/74; Fulton to Wannall memo, 5/17/74, captioned "Scope of FBI Jurisdiction and Authority in Domestic Intelligence Investigations."

The HCIS and the Senate Judiciary Subcommittee on FBI Oversight are currently conducting extensive and continuing hearings into our intelligence collection jurisdiction and authority. Initial reaction appears to be acceptance of our position explaining that authority, and, at present, the respective members of these Committees do not appear to feel that there is a need for additional legislation.

The Director has appeared before the Oversight Subcommittee and explained our position in all three areas of intelligence collection, viz., organized crime, foreign counterintelligence, and internal security, in executive session, and is making public statements before the Subcommittee on these three areas seriatim. Mr. Wannall is engaged in a continuing series of appearances before the HCIS regarding our internal security jurisdiction, authority and operations.

Referenced 5/17/74 memo directed a memo to the Attorney General recommending possible clarification of our internal security jurisdiction and authority via amendment to 28 U.S.C. 533, or in the alternative, amendment to 28 C.F.R. 0.85 (a), or an executive order. This recommendation was previously made on 8/7/73. No response to either memo has been received from the Department of Justice.

100-00-1571

Memorandum to Mr. W. R. Wannall

Re: House Committee on Internal Security (HCIS) Hearings on FBI Domestic
Intelligence Gathering Function

RECOMMENDATION:

Any action to propose legislation to amend 18 U.S.C. 3052, as recommended in referenced memorandum, or in any other way to affect our intelligence jurisdiction and authority, be deferred until the conclusion of Congressional hearings and a more clear determination if legislation is needed is reached; and until the Department of Justice responds to our above memos.

airtel

To: SAC, Albany

8/16/74

From: Director, FBI

ST-111

SUBVERSIVE AND EXTREMIST
INVESTIGATIONS OF INDIVIDUALS
STREAMLINED REPORTING

Beginning 9/16/74 we are initiating six-month trial of streamlined reporting procedures relative to investigations of individuals under provisions of Sections 67 and 122 of the Manual of Instructions. This system is described as follows:

Except in certain types of cases where detailed reporting will still be required, investigations of individual subversive and extremist subjects will be reported in the form of a concise summary. This summary will set forth a succinct resume of the subject's subversive or extremist activities and associations together with essential identifying or background data. It should provide a meaningful picture of the nature and extent of subject's subversive or extremist activities, but will not enumerate the details of investigation with each item of information attributed to a specific source. It is believed that in most instances these investigative summaries will consist of a single page, although no hard-and-fast rule is being adopted with respect to their length.

These summaries will be submitted in LHM form accompanied by a transmittal letter or airtel setting out necessary administrative data. The caption "Investigative Summary" should be set out immediately under the letterhead in full capital letters and underscored. Full details of the investigation will be maintained in the appropriate field office file and will be available if additional details are later required in a particular case.

Enclosures - 3

2 - All Offices (Enclosures - 3)

2 - All Legal Attaches (Enclosures - 3)

MDR-16

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/5/00 BY SP2 ALM/EHL

1 - Foreign Liaison Unit (Route through for review)

100-00-1575

Airtel to SAC, Albany
Re: Subversive and Extremist
Investigations of Individuals
Streamlined Reporting

This system will apply to all investigations of subversive and extremist individuals conducted under the provisions of Sections 87 or 122 of the Manual of Instructions with the following exceptions:

1. ADEX subjects;
2. Individuals who within the prior year are reported to have personally and directly engaged in subversive or extremist activities involving violence or preparations for violence;
3. Individuals who within the prior year are reported to have been actively and directly connected with hostile or subversive foreign elements;
4. Cases involving probable prosecution under the Federal statutes enumerated in Sections 87 and 122 of the Manual of Instructions;
5. In other cases where detailed reports have been requested by FBIHQ or where SAC believes special circumstances warrant preparation of detailed reports.

Streamlined reporting system will apply to the initial communication prepared in a case as well as to subsequent communications (so long as the case does not fall within one of the five excepted categories outlined above).

I. Contents of Investigative Summary

A. Predication

The first investigative summary should begin with a concise statement identifying the subversive and/or extremist organization(s) with which the subject is affiliated and specifying the statute(s) upon which the investigation is based.

Airtel to Albany
Re: Subversive and Extremist
Investigations of Individuals
Streamlined Reporting

This statement should not include a narrative description of the subversive and/or extremist organization(s) in question. Instead the notation "(See Appendix)" should follow the first reference to each such organization. Copies of FBIHQ-approved characterizations should then be appended to each copy of the investigative summary in the order they are mentioned. Each characterization should be set out on a separate Appendix page.

In the event an organization is mentioned for which there is no FBIHQ-approved characterization, a concise characterization should be included at the end of the investigative summary itself (not on an Appendix page) and an appropriate notation to this effect should follow the first mention of the group (e.g., See description below).

B. Background or Descriptive Data

1. The first investigative summary should set out sufficient background information to clearly identify the subject. This should include subject's full name and any aliases; date and place of birth; sex; race; marital status; citizenship status if other than U. S.; and current residence and employment (including occupation). Other background or descriptive data should be included only if it is relevant to an assessment of the subject's subversive or extremist activities or capabilities. For example, information relating to such factors as prior military or weapons experience, past emotional instability, or a previous arrest record on the subject's part could be pertinent to such an assessment and, if so, it should be included in the investigative summary. Background data which has no bearing on the subject's subversive and extremist activities or capabilities should not be included.
2. Pertinent background or descriptive data should be reported in a succinct fashion. The identities or characterizations of sources from whom information was secured should not be set out, either in the investigative summary or transmittal communication, except in unusual circumstances where common sense dictates that FBIHQ or recipient agencies would require the information. (As will be outlined later, such details of investigation will be incorporated in the field office file.)

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Re: Subversive and Extremist
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Streamlined Reporting

3. If a photograph of subject can be obtained through reasonable effort, two copies should be forwarded to FBIHQ, one of which will be furnished to U. S. Secret Service headquarters. A copy should also be forwarded to Secret Service locally. Detailed descriptive data (including height, weight, scars and marks, etc.) should be set out on reverse side of subject's photograph. If no photograph is being submitted with the initial summary, such descriptive data should be incorporated in the summary as succinctly as possible.

Whenever FBI Identification Number is available, it should be reported. No effort should be made to secure handwriting or handprinting specimens in these cases.

4. If pertinent background or descriptive items are not available when an initial summary is submitted, they should be included in subsequent communications as they become available. Any pertinent changes in this type data (e.g., a change of employment or marital status) should be reported in the next communication submitted. Cases should not be kept in a pending status solely to obtain or report background data unless it is needed to make a clear-cut identification of subject.
5. If information is available indicating that subject could be dangerous when contacted this should be included in the investigative summary in an appropriate caution statement.

C. Subversive and/or Extremist Activities and Affiliations

1. Each investigative summary should set out in concise fashion a resume of pertinent and previously unreported information regarding subject's subversive and/or extremist activities and affiliations, such as:
 - a. Identities of subversive and/or extremist groups or movements (including front groups) with which subject has been identified, period of membership, positions held, and a summary of the type and extent of subversive

Airtel to SAC, Albany

Re: Subversive and Extremist
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or extremist activities engaged in by subject (e.g., attendance at meetings or other functions, fund-raising or recruiting activities on behalf of the organization, contributions, etc.);

- b. Indications, through actual statements or otherwise, that subject is aware of the subversive and/or extremist character of such groups, especially the group's involvement in underground operations, foreign subversive elements, or in violent or unlawful activities;
 - c. Any information tending to show the subject's importance in subversive or extremist groups, such as degree of leadership or influence exercised, close association with national or local leaders, or participation in policy matters.
2. The identities or characterizations of sources from whom subversive or extremist data was obtained should not be set out, either in the investigative summary or transmittal communication, except with respect to any item of information which originated with sources other than those who have furnished reliable information in the past. In latter event, the information should be specifically attributed to the source and an appropriate characterization included to describe the source in the investigative summary (e.g., "a source, contact with whom has been insufficient to establish his reliability..."). Derogatory information initiating with other Government agencies should also be specifically attributed (e.g., "another Government agency which conducts intelligence investigations...").
3. If any subversive or extremist organizations are named in investigative summary (which have not been referred to in a predication paragraph), the words "(See Appendix)" should follow the first mention of each organization concerning which there is an FBIHQ-approved characterization. Copies of the

Airtel to SAC, Albany
Re: Subversive and Extremist
Investigations of Individuals
Streamlined Reporting

characterization should be appended to each copy of the summary in the order they are mentioned. On organizations for which there is no FBIHQ-approved characterization, a concise characterization should be included in the summary itself.

4. If subject has been interviewed, pertinent information developed should be succinctly set forth in the investigative summary.
5. The investigative summary should include a property statement and any necessary classification markings. In most instances, however, the summarization of subversive or extremist data will preclude the need to classify. The investigative summary should not indicate the status of investigation, which is to be shown in the transmittal letter or airtel.

II. Contents of Transmittal Communication

- A. The transmittal airtel or letter should include pertinent information regarding the following: office of origin; copies, including any local dissemination made; references to prior communications; notations as to any enclosures; any necessary justification statement if either the investigative summary or transmittal communication is classified; and status of case. The transmittal communication should also set out any outstanding leads and it should call attention to any factors which would be of particular interest to other Federal agencies, such as individuals employed in or having access to Key Facilities or affiliated with reserve branches of the armed forces. Refer to Section 87 D of the Manual of Instructions for additional suggestions along this line.
- B. Where available, the identities of subject's immediate family should be set out in the transmittal letter or airtel together with readily available identifying data and any information of particular interest.

Airtel to SAC, Albany
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concerning such relatives, such as employment in a sensitive position or by U. S. Government. The transmittal communication should also set out the names of any other individuals identified in the investigation which should be indexed at FBIHQ.

- C. With respect to individuals who are of interest to the Secret Service (this will include virtually all subversive and extremist subjects), the transmittal communication should be accompanied by an FD-376, appropriately filled out. This form can serve as a transmittal communication in disseminating the investigative summary to Secret Service, both at Headquarters and in the field.
- D. The transmittal letter or airtel should account for any obvious gaps in the investigation and include observations with respect to any matters which logically require further explanation.
- E. The transmittal communication should ordinarily not include the specific identities of sources utilized; documentation regarding the information included in the investigative summary; the identities of Agents who conducted investigation; or information as to the investigative period involved.
- F. When available, two photographs of the subject should be forwarded as an enclosure to the FD-376. Remember to include available descriptive data regarding the subject on the reverse side of these photographs.

III. Field Office File

Details of all investigation conducted, including negative contacts, must be recorded and retained in the field office file concerning the subject. Ordinarily, this would be accomplished through the preparation of memorandum(a) for the file by the case Agent which would set out the identities of Agents conducting inquiries, the names of persons or sources contacted, dates of contact, and full details of information developed.

Airtel to Albany
Re: Subversive and Extremist
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Specifically, the field office file should document information from all confidential informants utilized during the investigation using the following format:

<u>Identity of Source</u>	<u>Nature of Information</u>	<u>Location</u>
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The first column should identify the particular informant; e.g., SF 2000-S or NY 1500-PSI. Under the second column there should be shown in a word or phrase the category or categories of information originating with the informant; e.g., "CP membership," "attendance at PLP meeting," "revolutionary statement by subject 5/15/73," or "travel to Los Angeles 8/73." The third column should indicate the file and serial number of the original recording of the information. Where more than one category of information originated with an informant, separate entries will be necessary in the second and third columns. For example:

<u>Identity of Source</u>	<u>Nature of Information</u>	<u>Location</u>
SF 1000-S	CP membership	134-1000-300, 302, 307, 310
	Travel to Los Angeles 8/73	134-1000-347

Intraoffice memorandum(a) recording details of the investigation, including the above-described documentation of confidential informant data, must be prepared no later than time when the investigative summary is submitted to FBIHQ. Following preparation of such memorandum(a), the field office file may be purged of channeling informant memoranda.

It is contemplated that this streamlined reporting system will be tested for period 9/16/74 to 3/15/75. At the conclusion of this time, we will determine whether to adopt the system on a permanent basis. At an appropriate time, the field will be asked to submit its evaluation of this system including an estimate of its impact on manpower (both Agent and clerical) and its overall effectiveness.

Airtel to SAC, Albany
Re: Subversive and Extremist
Investigations of Individuals
Streamlined Reporting

Each office should carefully review these instructions and thoroughly brief interested personnel. All offices are encouraged to raise any questions or call attention to any apparent problems in connection with this system either prior to or following its implementation on 9/16/74.

Attached are samples of investigative summary, transmittal letter and FD-376 prepared at FBIHQ.

You may reproduce instant communication and enclosures as necessary to implement these changes in your office.

NOTE:

See memorandum A. B. Fulton to Mr. W. R. Wannall, dated 8/9/74, captioned as above, and prepared by RDC:nlb.

UNITED STATES GOVERNMENT

Memorandum

TO Mr. W. R. Wannall

DATE: 10/2/74

FROM R. L. Shackelford

SUBJECT SECURITY INVESTIGATIONS OF
INDIVIDUALS

EXTREMIST INVESTIGATIONS OF
INDIVIDUALS

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

PURPOSE: To recommend the establishment of a uniform policy of handling investigations of members of subversive or extremist organizations who are candidates for and/or elected to public office and to so advise the Department, Secret Service and appropriate Bureau personnel.

DETAILS: The proliferation in candidacies for public office on the part of members of subversive and extremist organizations currently being investigated by this Bureau under statutory basis has created a serious problem. Continued investigation during the time of candidacy could leave Bureau open to unwarranted charges of abridging individual's Constitutional rights by interfering with lawful political processes. However, termination of such investigations would establish the undesirable precedent of granting investigative immunity to subversive and extremist candidates for public office. In the past, such matters were handled on an individual case basis. Recent substantial increase in such candidacies, mainly by organizations attempting to generate an aura of political responsibility, coupled with the likelihood of civil suits being filed against this Bureau by such individuals under investigation, dictates need for uniform field-wide handling of this type investigation.

In instances referred to above, it is recommended that a field office, upon learning of the candidacy for public office of a subject under investigation, should furnish FBIHQ with a disseminative communication to that effect incorporating previously unreported pertinent information concerning the activities of that subject. In the absence of evidence indicating a violation of a specific Federal statute, no investigation should be conducted until the individual's candidacy for public office is resolved. Information received during the period of candidacy indicating a specific violation of Federal law(s) should be furnished FBIHQ by means consistent with exigencies of situation along with recommendations for additional action warranted. Other unsolicited information

Memorandum to Mr. W. R. Wannall
RE: Security Investigations of Individuals

Extremist Investigations of Individuals

information received from informants and sources or obtained incidental to other investigations should be channeled to the individual's file and, when appropriate, furnished to FBIHQ in disseminative form with recommendations as to additional action warranted.

Results of candidacy in each instance should be furnished to FBIHQ. Should the candidate have been defeated, necessary communication should contain recommendations as to additional action warranted. Should the candidate have been successful, necessary communication should contain statement that, in the absence of information indicating a specific violation of Federal statute, no additional investigation will be conducted. At such time as the individual ceases to serve in public office, field should submit such information to FBIHQ accompanied by recommendations as to additional action warranted. Should information be received indicating a violation of a specific Federal statute while individual is in office, field should submit pertinent information to FBIHQ by means consistent with the exigencies of the situation along with recommendations as to additional action deemed warranted.

Apropos of the foregoing, FBIHQ memorandum to the Department dated 7/3/74 and letter to all offices dated 7/17/74, both concerning National Caucus of Labor Committees (NCLC), advised the Department and instructed the field along similar lines concerning investigations of NCLC members seeking public office. No information was contained therein, however, concerning investigations of individuals holding public office.

OBSERVATIONS: Inasmuch as the foregoing has a direct bearing on Bureau investigations conducted under statutory basis and could have bearing on future litigation involving this Bureau, a memorandum will be forwarded to the Department advising of the policy being instituted above. As subjects of security and extremist investigations are of interest to U.S. Secret Service (USSS), a similar letter will be forwarded to that agency. Correspondence to the Department and USSS will be handled under the more descriptive title "Investigations of Members of Subversive and Extremist Organizations Who Are Candidates for and/or Elected to Public Office."

There is attached a memorandum to the AAG, Criminal Division (CD), and a letter to USSS advising of the above. Also attached is a Memorandum to All SACs advising of establishment of a uniform policy handling investigations of a type described above. If approved, appropriate changes will be made to Manual of Instructions.

Memorandum to Mr. W. R. Wannall
RE: Security Investigations of Individuals

Extremist Investigations of Individuals

RECOMMENDATION: That the attached memorandum to AAG, CD; letter to USSS and Memorandum to All SACs be approved and sent.

Date: October 4, 1974

To: Director
U.S. Secret Service

From: Clarence M. Kelley, Director

Subject: INVESTIGATIONS OF MEMBERS OF SUBVERSIVE
AND EXTREMIST ORGANIZATIONS WHO ARE
CANDIDATES FOR AND/OR ELECTED TO PUBLIC OFFICE

As evidenced by recent communications furnished your agency by this Bureau, the number of members of subversive and extremist organizations seeking public office has increased substantially.

Inasmuch as investigation of such individuals for possible violations of security-related Federal statutes could possibly be misconstrued as interfering with lawful political processes and abridging rights guaranteed under the Constitution, this Bureau will not, in the absence of evidence of a violation of a specific Federal statute, conduct investigations of such individuals during the period of their candidacy for public office, or, if elected, during the period they occupy public office. Unsolicited pertinent information indicating a specific violation of Federal law(s), as well as other pertinent related subversive information similarly obtained, concerning such individuals during the above periods, will be promptly furnished to you. At such time as individuals referred to above no longer are candidates for or hold public office, investigations of such individuals will be resumed, if necessary, and followed to a logical conclusion. Results of investigations conducted under the latter category will likewise be furnished you.

100-358086-4237

Assistant Attorney General
Criminal Division

October 4, 1974

Director, FBI

X
INVESTIGATIONS OF MEMBERS OF SUBVERSIVE
AND EXTREMIST ORGANIZATIONS WHO ARE
CANDIDATES FOR AND/OR ELECTED TO PUBLIC OFFICE

As you are aware, recent correspondence from this Bureau has shown a considerable increase in the number of candidacies for public office on the part of members of organizations under investigation by the FBI concerning possible violations of Title 18, U.S. Code, Sections 2383 (Rebellion or Insurrection), 2384 (Seditious Conspiracy), 2385 (Advocating Overthrow of the Government) and related statutes.

Inasmuch as investigation of such individuals could possibly be misconstrued as interfering with lawful political processes and abridging rights guaranteed under the Constitution, this Bureau, unless instructed by you to the contrary, will not, in the absence of evidence of a violation of a specific Federal statute, conduct investigation of such individuals during the period of their candidacy for public office or, if elected, during the period they actually occupy public office. Unsolicited pertinent information indicating a specific violation of Federal law(s), as well as other pertinent related subversive information similarly obtained, concerning such individuals during the above periods, will be promptly furnished to you along with a statement as to additional action contemplated by this Bureau in each instance. At such times as individuals referred to above no longer are candidates for or hold public office, investigations under above-enumerated statutes will be resumed, if necessary, and followed to a logical conclusion.

Memorandum

Clarence M. Kelley
TO : Director, Federal Bureau of
Investigation

DATE: OCT. 10, 1974

FROM : William B. Saxbe
Attorney General

MDR-16
FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 AEM/EHL

SUBJECT: Revision of FBI Regulations

This is in response to your memorandum which proposes amending regulations governing the Federal Bureau of Investigation so that the Bureau would be authorized to "detect and investigate" violations of law rather than to "investigate" violations as presently provided. 28 CFR 0.85(a).

As you note, the Attorney General is authorized to appoint officials "to detect and prosecute crimes against the United States". 28 U.S.C. 533. Thus, as a purely legal matter I would not object to substituting "detect" for "investigate" in the regulations governing the Bureau. But to use both words is to imply either (1) that "investigate" means something beyond "detect", or (2) that "investigate" is merely one category of activity included within the broader term "detect." The first implication would render the new regulation in excess of my statutory power, since I am only empowered to confer authority to "detect." The second implication would cast doubt upon the extent of the powers which the Bureau had before the new regulation was adopted, in pursuing some matters which are now in litigation.

It is and has been my understanding that the words "detect" and "investigate" are equivalents for present purposes. See Black's Law Dictionary, p. 536 (4th ed. 1951); Words and Phrases, "Detection." This was the thrust of the recent testimony of DAAG Maroney before the House Committee on Internal Security (February 20, 1974).

100-00-1581

Though it may be possible to assign each of the words a separate meaning, I do not consider it advisable to alter at this point the interpretation we have adopted in the past. It is important to maintain a record consistent with the proposition that the Bureau has been operating under delegation of the full powers I am authorized to confer.

Thus, whatever might have been desirable as an original matter, in the present circumstances I think it advisable to leave the regulations in their present form.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 10/17/74

FROM : Mr. W. R. Wannall

SUBJECT: DOMESTIC INTELLIGENCE
INVESTIGATIONS IN THE
SECURITY FIELD

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

PURPOSE:

To recommend Assistant Director, Intelligence Division, and/or Inspector Number Two Man, Internal Security Branch, Intelligence Division, personally brief personnel conducting domestic intelligence security type investigations in key field offices handling a substantial volume of such investigations concerning the sensitivity of our investigations with emphasis on rights of privacy considerations and their relationship to domestic security investigations.

BACKGROUND:

The current developments in the application of rights of privacy and general recognition of such rights by the public, as well as pending legislation in this regard, have caused a number of changes in the handling of our internal security investigations with particular emphasis on the sensitive nature of these investigations. While in New York on another matter, Assistant Director, Intelligence Division, had an opportunity to brief appropriate personnel regarding the sweeping changes which have been effected in the handling of domestic security investigations. These briefings went into detail regarding the history of FBI jurisdiction in security investigations, the basis for the current change to statutory predication for these investigations and the importance and necessity for personnel to understand the sensitive nature of investigations in the security field, particularly in light of their relationship to privacy factors. This briefing, as well as a subsequent briefing conducted at WFO, were well received, clarifying new directions we are taking and insuring field and headquarters personnel are working in close concert toward

100-00-1579

CONTINUED - OVER

Memorandum to Mr. J. B. Adams
Re: Domestic Intelligence Investigations
in the Security Field

the common goal. It is felt attendance of field personnel at these briefings contributed to their increased morale and engendered enthusiasm for thoughtful review of the problems the Bureau faces in this area and hopefully would be applied in their day-to-day investigative efforts.

It is felt these briefings should be conducted in other key offices where there is a substantial volume of internal security work. Set forth below are eleven offices which have consistently exceeded 1,300 total cases in the Security category each month according to monthly Administrative Reports submitted. These offices would be those offices having the greatest concentration of the Bureau's security investigations.

Baltimore, Boston, Chicago, Cleveland, Detroit,
Los Angeles, Newark, New York, Philadelphia,
San Francisco, Washington Field

As noted above, appropriate personnel have already been briefed in the New York and Washington Field Offices and because of the volume of internal security investigations being conducted in the other offices listed above, it is felt briefings in these offices would serve a beneficial and worthwhile purpose. It is anticipated that the briefings at the Baltimore and Philadelphia Offices, if approved, would be attended by Assistant Director W. R. Wannall and Inspector P. L. Mack, so that Inspector Mack, newly assigned as Number Two Man in the Intelligence Division, would have the necessary background in this area prior to handling briefings alone in three other offices listed above. In addition to briefings at Baltimore and Philadelphia, Assistant Director Wannall would brief the personnel at Newark, Boston, Los Angeles and San Francisco; and Inspector Mack would handle the briefings at Cleveland, Chicago, and Detroit. Each of the offices would be contacted to establish a convenient date for the proposed briefings and to determine if the particular office desires any other areas in the security field be discussed.

The specific dates selected and the identity of the

Memorandum to Mr. J. B. Adams
Re: Domestic Intelligence Investigations
in the Security Field

offices involved will be furnished to you.

RECOMMENDATION:

That the briefings of the above nine offices be approved.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

DATE: October 22, 1974

TO : Director
Federal Bureau of Investigation

FROM : Henry E. Petersen
Assistant Attorney General
Criminal Division

SUBJECT: Gathering and Reporting Data
Regarding Civil Disturbances

MDR-16

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

Reference is made to your memorandum to the Attorney General dated August 6, 1974, captioned as above which enclosed a copy of a teletype dated July 31, 1974 from your Baltimore field office reporting a disturbance at the Glen Burnie Fair, Glen Burnie, Maryland, July 30-31, 1974. You requested guidelines with regard to gathering and reporting information concerning civil disturbances and suggested that your reporting be limited to those particular situations which are of such a serious nature that Federal military personnel may be called upon for assistance.

While the Department recognizes and appreciates that the FBI expends a significant amount of manpower in gathering and reporting data on civil disturbances, it also feels that the guideline suggested is not practical. If such a criterion were used, it would place the burden on the Bureau of determining, at least initially, whether military personnel may ultimately be needed in connection with a particular disorder. As you know, that responsibility legally rests with the President, not with the FBI, and is based on the advice and information he receives from the Attorney General. One source of such information would, of course, be the FBI. In only rare and extreme situations in the country's history have Federal military forces been requested to put down domestic disorders. More often, National Guard units have been activated by the state to supplement local and state police forces in handling serious disturbances.

In that regard, the Constitution, Article IV, §4 provides that the Federal government would protect the states, upon

U.R. (above 100-88-1581)
origin in 157-6-3177

application of the legislature or the executive, against domestic violence. On April 1, 1969, the President designated the Attorney General as chief civilian officer to coordinate the Government's response to civil disturbances. Without timely information the President, the Attorney General, and other interested Government officials and agencies could not adequately meet the constitutional responsibility to protect the nation's security. See also, 10 U.S.C. §331, et. seq. While this power is rarely used, it is incumbent upon the Federal government to remain abreast of potential situations where it may be requested or invoked.

It is our opinion that the FBI, as the investigative arm of the Department, should continue to gather and report on significant civil disorders throughout the country so that the Attorney General and appropriate Government agencies may be fully informed of all situations which may develop into major incidents of violence. This information should include all significant incidents of civil unrest and should not be restricted to situations where, in the judgment of the Bureau, military personnel eventually may be used. On the other hand, the FBI should not report every minor local disturbance where there is no apparent interest to the President, the Attorney General or other Government officials and agencies.

The Bureau should continue to report all disturbances where there are indications that extremist organizations such as the Communist Party, Ku Klux Klan, or Black Panther Party are believed to be involved in efforts to instigate or exploit them. These situations should be reported promptly and fully because of the great potential for rapid nationwide exploitation. As Deputy Assistant Attorney General Kevin T. Maroney testified before the Committee on Internal Security of the House of Representatives on February 20, 1974, the violent nature of an organization may be a sufficient basis for investigating so that the Attorney General may be apprised of potential civil disturbances. Of course, any possible violations of Federal law, such as the anti-riot statute, 18 U.S.C. §2101, should be investigated fully.

Regarding coverage of potential disorders, the Bureau, through its liaison with local and state police departments and other law enforcement agencies, should be aware of disturbances and patterns of disorder which would be of interest to the President, the Attorney General, and other Government officials and agencies, and should make timely reports of significant disturbances, even when no specific violation of Federal law is indicated. Such situations would cover, but would not be limited to, cases where (1) extremist groups or individuals are involved or may attempt to exploit the situation, (2) the disorder may develop into a major disturbance, (3) it may become a matter of national attention, (4) the disturbance or disorder is of obvious interest to the President, Attorney General, or the Department, or (5) the incident is of particular interest to the Secret Service in fulfilling its protective function. You should also insure that copies of all such reports are disseminated promptly to the Department's Analysis and Evaluation Unit in the office of the Deputy Attorney General, and where appropriate, you should continue to keep local U.S. Attorneys' offices advised.

The Department recognizes that assessing the need to report information regarding civil disturbances requires some judgment in the initial stages on the part of the Bureau's field divisions and FBI Headquarters, and it is urged that whenever possible the Bureau focus its reporting efforts on those incidents and patterns of disorders which may fit the above criteria, rather than reporting each and every relatively insignificant incident of a strictly local nature coming to its attention.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

DATE: 10/30/74

FROM : Mr. J. G. Deegan

MDR-16

SUBJECT: GATHERING AND REPORTING DATA
REGARDING CIVIL DISTURBANCES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

This informative memorandum summarizes mandate from the Department concerning our activities in gathering and reporting data concerning civil disturbances.

We wrote the Attorney General (AG) 8/14/73 asking for guidelines to follow in gathering and reporting data concerning civil disturbances. On 8/6/74 we again wrote the AG for guidance but in this letter we expressed the view that our activities be limited to those situations of such seriousness that Federal military personnel may be called upon for assistance.

We are now in receipt of Department letter 10/22/74 which makes following significant points: (1) Department recognizes and appreciates our expenditure of significant amount of manpower in this work but believes our suggested guideline not practical as it would place on FBI burden of determining whether military may be needed, a responsibility which is the President's based upon advice from AG. While use of Federal troops to put down domestic disorders has been rare in our history, it is incumbent upon Federal government to remain abreast of potential situations. (2) As the Department's investigative arm, FBI should continue to gather and report on significant civil disorders so AG and other agencies may be fully informed of all situations which may develop into major incidents of violence. This should include all significant incidents, not just those where we believe Federal troops may be eventually used. We need not report on every minor disturbance of no apparent Federal interest. (3) Included among disturbances to be reported are those where extremist and subversive organizations are believed involved in instigating or exploiting situation. (4) Possible violations of Federal law such as anti-riot statute should be fully

U.R. (above 100-00-1531)
original in 157-6-3/76

Memorandum to Mr. W. R. Wannall

Re: Gathering and Reporting Data Regarding Civil Disturbances
157-6

investigated. (5) Through liaison with local law enforcement agencies, FBI should be aware of patterns of disorder of Federal interest and make reports on significant disturbances, even when no specific Federal law violation is indicated. (6) Summarizing, Department enumerated situations to be covered as (a) extremist or subversive groups or individuals involved; (b) disorder may develop into major disturbance; (c) disturbance may become matter of national attention; (d) disturbance of obvious interest to President, AG, or Department generally; and (e) incident of particular interest to Secret Service.

OBSERVATIONS:

The guidelines and desires of the Department are consistent with what we have already been doing for the past several years both in the gathering of intelligence and reporting aspects relating to civil disturbances. Significantly, however, we now have an official, written mandate from the Department supporting our efforts in this area. We will continue to gather intelligence in the areas enumerated by the Department and will continue to disseminate the results to the Federal agencies of interest, both at Headquarters and local level. In connection with the Department's interest in patterns of disorders and potential factors, we will continue to disseminate to the interested agencies semiannual assessments which all field offices prepare. Specific instructions to the field as a result of the Department letter are unnecessary as the field is already fulfilling the stated objectives. However, we will separately prepare a letter to all offices putting them on notice as to the current Department mandate as a means of emphasizing the importance of this work as well as letting them know that our authority is derived from the Department. Further, we are presently rewriting the section of the Manual of Instructions which includes civil unrest matters and will incorporate into it excerpts from the Department's letter.

CONTINUED - OVER

AIRTEL

To: SAC, Albany

11/29/74

From: Director, FBI

SUBVERSIVE AND EXTREMIST
INVESTIGATIONS OF INDIVIDUALS
STREAMLINED REPORTING

MBIR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/00 BY SP2 ALM/EHL

Re Director's airtel to Albany 8/16/74.

A review of communications submitted to FBIHQ utilizing the streamlined reporting indicates that implementation has been successfully accomplished in the vast majority of cases where utilized. During the first 45 days of implementation, 1125 Reports and LHM's involving investigation of individuals were submitted. Of this total, 548 utilized the current LHM and Report format and 577 utilized the streamlined method. Of this breakdown, current LHM's and Reports averaged five pages each and the streamlined method averaged three pages each.

Several matters have arisen which appear to require clarification to facilitate preparation of Investigative Summaries and to insure that they convey meaningful results of our investigation of individuals under Sections 87 and 122 of the Manual of Instructions (MOI).

It should be clearly understood that the example contained in referenced airtel was not an absolute guide to the preparation of all Investigative Summaries and should not be followed rotely. The contents of each Investigative Summary should be determined by the facts of the case and background data tailored to the needs of each case.

2 - All Offices

UR (above 100-00-1582)
original in 100-358686-4241

Airtel to Albany

Re: Subversive and Extremist Investigations
of Individuals

Matters of form such as copy count are to be followed as set out in the NOI or as instructed by Headquarters in particular investigations. Also, the property statement should be attached to Investigative Summaries as was noted on page six of referenced airtel, although erroneously omitted from the example.

The following are problem areas which appeared most frequently and should be clarified with appropriate personnel:

The caption "INVESTIGATIVE SUMMARY" must appear immediately under the letterhead in full capital letters and be underscored. This serves as a flag to recipients of our dissemination and is descriptive of the information which follows.

Regarding predications, when an Investigative Summary is the first communication for dissemination submitted to FBIHQ or where no previously submitted communication for dissemination has contained a predication (by error or some other reason), the Investigative Summary must begin with a predication. The predication should be a concise statement of the specific statutes upon which the investigation is based and identify the subversive and/or extremist organization or activity in which the subject is involved. The latter data was noted as being frequently omitted in Investigative Summaries received at FBIHQ. Utilize "(See Appendix)" following the first reference to each subversive or extremist organization mentioned in the predication and any other such organization mentioned later in the Investigative Summary.

Because of the succinct nature of Investigative Summaries, care must be taken to avoid unattributed opinions not supported by facts. This critique can apply equally well to Reports and Letterhead Memoranda. Such unattributed comments as "subject is considered a member of..." or "it was

Airtel to Albany

Re: Subversive and Extremist Investigations
of Individuals

the opinion that....," without any facts supporting it must be avoided. If the opinion is pertinent, the Investigative Summary should identify who had the opinion, i.e., a specific organization's leader or member. If the facts creating the opinion or consideration are known, the facts should be succinctly set out. What must be avoided is conveying the thought that it was the FBI's opinion or consideration.

It is incumbent upon field supervisors to see that Agents preparing Investigative Summaries are aware of the general guidelines. It has been noted that several communications have been sent the FBIHQ labeled Investigative Summary which were nothing more than regular Letterhead Memoranda. This type of situation merely diminishes any good which can come from this effort for efficiency and sets a poor precedent for all future Investigative Summaries prepared by the Agent or patterned after his work product.

Field Supervisors are encouraged to raise any questions or call attention to any apparent problems with this streamlined reporting. Additionally, considerations and comments are requested regarding the effect investigative summaries have on supervision of these cases in the field.

Each office should review these instructions in conjunction with the original instructions contained in referenced airtel and brief interested personnel. Instant communication may be reproduced to facilitate advising appropriate personnel.

The Attorney General

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. G. Cregar
June 17, 1975

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to a letter from the SSC dated May 14, 1975, and appendices thereto, requesting certain documents and other information from the FBI.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum which constitutes response to some of the requests.

A copy of the memorandum and a copy of each of the 22 documents responsive to the Committee's request are being furnished for your records.

In accordance with the request of Mr. K. William O'Connor, we are deferring to him any action necessary to obtain appropriate clearance from the White House, prior to giving the Committee Staff access to the above 22 documents. It is noted a prerequisite to SSC's examination of the 22 documents would be the furnishing to that Committee the June, 1970, Special Report of the Interagency Committee on Intelligence (Ad Hoc).

Enclosures (24)

62-116395

REC-102

MDR-16

9 AUG 8 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/2/00 BY SP2 ALM/HL

ENCLOSURE

1 - The Deputy Attorney General

Attention: K. William O'Connor

Special Counsel for
Intelligence Coordination

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir.:

Admin. _____ JWW:dan

Comp. Syst. _____ (8)

Ext. Affairs _____

Files & Com. _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Plan. & Eval. _____

Spec. Inv. _____

Training _____

Legal Coun. _____

Telephone Rm. _____

Director Sec'y _____

MAIL ROOM ☒

TELETYPE UNIT ☐

Letter to The Attorney General
Re: United States Senate Select Committee
On Intelligence Activities (SSC)

The documents being furnished herewith are not for forwarding to the SSC inasmuch as only access for review at FBIHQ is being afforded the Committee Staff.

SECRET

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

MDR-16, 10/2/00

CLASSIFIED BY: SP8 ALM/EHL

REASON: 1.5 (C)

DECLASSIFY ON: X 1

62-116895

June 17, 1975

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: DOCUMENTS PERTAINING TO THE COMMITTEE'S PRIOR REQUESTS
DOCUMENTS PERTAINING TO THE "HUSTON PLAN," COINTELPRO,
AND OTHER PRACTICES AND PROGRAMS

HUSTON PLAN AND RELATED DEVELOPMENTS

Reference is made to letter dated May 14, 1975,
to the Attorney General from the Chairman of captioned
Committee, and appendices thereto, which requested certain
documents and other information from the FBI.

Appendix A, Item 6, requested a copy of the Special
Report of the Interagency Committee on Intelligence (Ad Hoc)
dated June, 1970. This request has been referred to the
White House.

Appendix C, Part 1, Items 11, 12, and 13, requested
the following:

Item 11, all memoranda and other materials prepared
or compiled by FBI personnel assigned to the Interagency
Committee on Intelligence (Ad Hoc) working group from June 5,
1970, to June 25, 1970.

Item 12, letter from FBI Director Hoover to Attorney
General Mitchell dated July 27, 1970, regarding the "Huston
Plan."

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

Item 13, all memoranda or other materials pertaining
to meetings or conversations between FBI Director Hoover and
Attorney General Mitchell from July 23, 1970, through July 28,
1970, concerning the "Huston Plan."

SECRET

SEE NOTE PAGE 2

SECRET MATERIAL ATTACHED

MAIL ROOM ☐ TELETYPE UNIT ☐

SECRET

Documents responsive to the Committee's request have been assembled and are available for review at FBIHQ by appropriately cleared SSC personnel.

Enclosures - 22 (For Attorney General only)
1 - The Attorney General

NOTE:

The furnishing of attached LHM to the SSC advising material is available for examination at FBIHQ, is dependent upon White House's decision to furnish the Special Report of the Interagency Committee on Intelligence (Ad Hoc), dated June, 1970. If the White House furnished the Special Report to the SSC, this would preclude the need for any third agency clearance of material in the report or related memoranda. Letter from Acting Director to Assistant Attorney General, Criminal Division, dated 5/18/73, represents an excellent resume relating to the preparation of the Special Report. [Code name, Anagram, for a highly sensitive program] was deleted (S) from memorandum W. C. Sullivan to Mr. C. D. DeLoach dated 6/19/70.

Enclosed in response material are five memorandum, furnished by Mr. Benson K. Buffham, National Security Agency (NSA) on 5/22/75 to SA William O. Cregar, which set forth minutes of the 6/9, 12, 18/70 meetings. Memorandum of Mr. W. C. Sullivan to Mr. Tolson dated 6/26/70, which is enclosed, sets forth the Director's instructions that each Committee member insure that all working copies of the report should be destroyed. The five NSA memorandum are thermofax copies of poor quality and in accordance with agreement should have been destroyed.

- 2 -

SECRET

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE
US SENATE SELECT COMMITTEE RE DOCUMENTS
☐ LTR ☒ LHM ☐ Memo ☐ Report dated 8/17/75
Caption of Document: PERTAINING TO PRIOR REQUESTS; DOCUMENTS PERTAINING
TO THE HUSTON PLAN, "COINTELPRO", AND OTHER
PRACTICES AND PROGRAMS
HUSTON PLAN AND RELATED DEVELOPMENTS

Originating Office: FBI

Delivered by: Richard T. Taylor, Jr. Date: 8/5/75

Received by: McKeechain

Title: Exec Sec

Return this receipt to the Intelligence Division, FBI

Appendix A item
6
Appendix C, Part I
11, 12, 13

MDR-16

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DATE 10/2/00 BY SP2 ALM/ETHC

ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available
for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

6/17/75

For Review

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, other-
wise state verbal request of (name), initiative, subpoena, etc.)SSC letter 5/14/75, Appendix A, Item 6;
Appendix C, Part 1, Items 11, 12 and 136. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)

TS

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)

Intelligence collection

8. SUMMARY (see reverse side before completing this item)

For review at FBIHQ by SSC Staff Members. Special Report
of the Interagency Committee on Intelligence dated 6/70. This
request has been referred to the White House. All memoranda and
other materials prepared or compiled by FBI personnel assigned
to the Interagency Committee on Intelligence working group from
6/5/70 to 6/25/70. Letter from FBI Director to Attorney General
Mitchell 7/27/70 re "Huston Plan". Memoranda or other material
pertaining to meetings or conversations between Director FBI and
Attorney General Mitchell 7/23/70-7/28/70 concerning "Huston Plan."

62-116395

FMK: fmk
(4)MDR-16
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S. WOC

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75

TREAT AS YELLOW

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach *PK* DATE: June 5, 1970

FROM : W.C. Sullivan *5/4*

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT ON JUNE 5, 1970)

This memorandum is for the record and for possible reference use by the Director.

Following his conference with the President this morning, the Director advised me that the President had appointed him Chairman of a special Intelligence Committee for the purpose of coordinating a more effective intelligence-gathering function as a joint effort on the part of the Bureau, Central Intelligence Agency (CIA), National Security Agency (NSA) and the Defense Intelligence Agency (DIA) to insure that comprehensive information is being obtained for the President's use which will provide him with a world-wide picture of New Left and other subversive activities.

The Director advised me that among those present at the meeting with the President were Richard Helms, Director of the CIA; Admiral Noel A. M. Gayler, head of the NSA; General Donald V. Bennett, head of the DIA; and Mr. T. C. Huston, White Staff Assistant, all of whom the President had designated to serve on the Committee under the direction of the Director. Additionally, there were present Assistant to the President H. R. Haldeman; John D. Ehrlichman, Assistant to the President for Domestic Affairs; and Robert H. Finch, Secretary of the Department of Health, Education and Welfare.

The Director stated he wanted immediate action on this. He advised me that he wanted all of the men on the Committee contacted and instructed to be in his office for a Committee meeting at 11:00 a.m. Monday morning, 6/8/70. This has been arranged and has been made the subject of a separate memorandum.

MD R-16
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DATE 10/2/00 BY SP2 ALM/EHL

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum to Mr. DeLoach
RE: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT ON JUNE 5, 1970)

The Director also instructed that a working committee meeting comprising the same individuals should be scheduled for Tuesday, June 9, and he instructed me to serve in his place at that meeting to insure that the instructions he issues to the Committee on Monday are carried through in specific detail by members of the Committee on Tuesday. Arrangements have also been made for this meeting to be held Tuesday afternoon at 3:30 p.m. utilizing the facilities of the United States Intelligence Board conference rooms.

The Director further instructed that this working committee should henceforth meet each Tuesday and Friday for the purpose of implementing his instructions with the aim of completing a draft paper by June 22, 1970, which the Director and others may review for approval and sign prior to its presentation to the President on July 1, 1970. Arrangements for this will be implemented at the working committee meeting on Tuesday, June 9, 1970. The Director will be promptly furnished with a report on each meeting.

RECOMMENDATION:

For the information of the Director and for the record.

UNITED STATES GOVERNMENT

Memorandum

ROUTE IN ENVELOPE

TO : Mr. DeLoach *DA*

FROM : ~~W. C. Sullivan~~

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

DATE: June 5, 1970

Pursuant to the Director's instructions and relative to his role as head of the above-captioned Committee, I have set up a meeting to take place in the Director's office at 11 am Monday, 6/8/70.

I talked personally to the following individuals who will be there: Mr. Richard Helms, Director of the Central Intelligence Agency, General Donald V. Bennett, Director of the Defense Intelligence Agency; Admiral Noel Gaylor, Director of the National Security Agency; and Mr. Tom Huston, Staff Assistant to the President at the White House.

The first three mentioned indicated they would like to take one of their assistants with them; however, they had not decided which one, therefore, the names are not available. As soon as they make the decision, I will submit the names of these assistants in a separate memorandum.

The details for the meeting of the working group are being worked out. At this point it is expected it will be held at 3:30 pm on Tuesday afternoon. This also will be the subject of separate memorandum.

RECOMMENDATION:

For the information of the Director.

WCS:chs *chs* (5)

MDR-16

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This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. C. D. DeLoach

DATE: 6/6/70

FROM : W. C. Sullivan

SUBJECT: INTERAGENCY INTELLIGENCE COMMITTEE
(Established By The President June 5, 1970)

Reference is made to my memorandum to you dated June 5, 1970, captioned as above which indicated that the Director will meet with the heads of the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency and a representative of the White House staff in the Director's office, at 11:00 a.m. 6-8-70. In accordance with the Director's instructions I will be present. Unless there is an objection I will have with me Mr. C. D. Brennan, Chief of the Internal Security Section which will have the responsibility of preparing our portion of the report on the New Left and related matters. I believe Mr. Brennan should hear and will benefit from the Director's remarks.

I have been advised that as of this date the heads of the other agencies do not now plan to have any of their assistants with them except Admiral Gaylor of NSA who will bring an assistant, Benson Buffram.

It occurred to me that in addition to the remarks the Director has in mind he may wish to give consideration to some of the major points in the enclosed statement prepared for him.

RECOMMENDATION:

That this memorandum and the enclosed statement be furnished to the Director.

Enclosure

WCS:sal
(6)

MDR-16

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DATE 10/2/00 BY SP2 ALM/EHL

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

INTERAGENCY INTELLIGENCE COMMITTEE MEETING

I am sure you gentlemen will all agree with me that our meeting with the President on Friday was of very special significance. The President clearly recognizes that we are confronted today with unique and complex problems arising from subversive activities on an international scale. There is a distinct relationship between these activities and much of the disorder and violence which increasingly threatens our internal security. The President made it abundantly clear that he expects us, as members of the intelligence community, to do more than we have been doing to bring the worldwide picture of these problems into better perspective for him.

Having been designated by the President as Chairman of the Committee to meet this challenge, I feel a special responsibility. First, I would like to state that I agree completely with the President's view of the situation. Consider what has transpired in the 1960s. We have witnessed the emergence of widespread racial unrest which threatens to grow much worse before it gets better. We have also seen the emergence of a new left militancy which has constituted massive mob rule in action. From what we have learned to date it is apparent these are not solely domestic problems. There are definite foreign links to our domestic disorders.

Yet, the foreign aspect of the problem is different than that which we experienced in the past. Prior to the 1960s, foreign-directed intelligence and espionage activities constituted the main threat to our security. We in the intelligence community geared ourselves accordingly and met that problem successfully. We coordinated our activities in doing so. But the nature of the problem was such that it left us to a marked degree free to operate independently in regard to our respective problem areas.

Today, it is mandatory that we recognize the changed nature of the problem confronting us. Unless we do so, we will be incapable of fulfilling the responsibility levied upon us by the President.

The plain fact is that there currently are thousands of individuals inside this country who want to see our form of government destroyed. They have in fact pledged themselves publicly to achieving this goal. They have put their words

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into actions constituting revolutionary terrorism, and the total effect of their actions to date has been disastrous.

In addition, they are reaching out seeking support from this nation's enemies abroad to further their objectives. Thus the links to Cuba, China, and Iron Curtain countries already have been established and promise to grow because of the equal determination of various international communist elements to destroy our form of government.

In contrast to the rigidly structured subversive organizations of past experience, the current subversive forces threatening us constitute widespread, disjointed, and varied autonomous elements, the destructive potential of which is manifold.

Individually, those of us in the intelligence community are relatively small and limited. Unified, our own combined potential is magnified and limitless. It is through unity of action that we can tremendously increase our intelligence-gathering potential and, I am certain, obtain the answers the President wants.

I am establishing a working committee to insure that we achieve the desired unity. It will be the job of the committee to (1) assess the overall nature of the problem as we know it today, (2) examine individually and together the respective resources of each Agency to insure full utilization of them for the benefit of all, and (3) devise coordinated procedures designed to penetrate the current nebulous areas of subversive activities here and abroad as they relate to our domestic problems.

The first meeting is set for tomorrow afternoon, Tuesday, June 9th, and you have been furnished the details as to the time and place.

The working committee will hereafter meet each Tuesday and Friday for the purpose of preparing a comprehensive study to be completed in rough draft form by June 22, 1970, for presentation to the President on July 1, 1970, in final form. This should serve as the foundation of our committee's existence and purpose and as the basis for a coordinated intelligence effort best suited to serve the country's interest at this time of crisis.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. DE LOACH *DL*

DATE: 6/8/70

FROM : W. C. SULLIVAN

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

My memorandum 6/5/70 advised that the details for the meeting of the working group of captioned committee are being worked out. Arrangements have been made for the working group to meet in the United States Intelligence Board Conference Room at 3:30 p.m., Tuesday afternoon, 6/9/70. As of this time, the following members have been designated:

FBI - Mr. William C. Sullivan....Acting for the Director
CIA - Mr. Richard Helms, Director of CIA
Mr. James Angleton, Chief, Counterintelligence Staff, CIA
DIA - The Defense Intelligence Agency (DIA) member has not yet been designated. In addition to the DIA member, there will be representatives from each of the three military services - Army, Navy, and Air Force.
NSA - Mr. Benson K. Buffham. Mr. Buffham is head of P-Group at National Security Agency (NSA) and Number Three Man at NSA.
White House - Mr. Tom C. Huston, Staff Assistant to the President.

Arrangements have been made for use of the Conference Room and all of the above members have confirmed their attendance. When the DIA representatives are designated, you will be advised.

ACTION:

For information.

RRH:hke
(6)

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HEREIN IS UNCLASSIFIED
DATE *10/2/00* BY *SP2 ALM/EHL*

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

~~TOP SECRET~~

Memorandum

TO : Mr. DeLoach

DATE: June 8, 1970

FROM : W. C. Sullivan

MDR - 16

DECLASSIFIED BY SP-2 ALM/EHL
ON 10/3/00

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)
MEETING IN DIRECTOR'S OFFICE, 11 AM, JUNE 8, 1970

This memorandum is to record meeting of captioned Committee in the Director's Office 11 am, Monday, 6/8/70, which was chaired by the Director with the following persons present: Mr. Richard Helms, Director of the Central Intelligence Agency (CIA); General Donald V. Bennett, Director of the Defense Intelligence Agency (DIA); Admiral Noel Gaylor, Director of the National Security Agency (NSA); and his Assistant Mr. Benson K. Buffham; Mr. Tom Huston, Staff Assistant to the President at the White House; as well as Racial Intelligence Section Chief George C. Moore and myself.

The Director pointed out to the Committee that the President, in establishing this special intelligence Committee, recognized definite problems arising from subversive activities on the international scale and expected the Committee to coordinate and plan so that the world-wide picture could be better brought into perspective for the President. The Director stated that he well recognized the importance of the work of this Committee and he stated that along with organized crime this is equally important.

The Director further commented concerning the foreign aspect of today's subversive domestic problem and stated that prior to the 1960's, the main threat to our security was foreign-directed intelligence espionage activities but today we have a different problem marked by highly organized dissident groups seeking to destroy our form of Government.

In outlining the work of the Committee, the Director pointed out: (1) The situation should be thoroughly explored to determine exactly what the problem is. (2) Each agency must explore the facilities which must and can be used in order to develop facts for a true intelligence picture. The Director noted the President mentioned restrictions which were hampering our intelligence operations and accordingly we should list for the President in detail such

WCS:chs (5)

Classified by 3676 JAL 6/13/75
Exempt from GDS, Category 2+3
Date of Declassification Indefinite

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

~~TOP SECRET~~

~~TOP SECRET~~

Memorandum to Mr. DeLoach

RE: INTERAGENCY COMMITTEE ON INTELLIGENCE

(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

MEETING IN DIRECTOR'S OFFICE, 11 AM, JUNE 8, 1970

restraints and restrictions together with the pros and cons involved so that the President can make a decision as to which ones should be utilized. (3) The Director stated it was most important that the foreign connections of domestic problems be determined pointing out that we know Cuba, Red China and the Soviet-bloc are deeply in the picture. The Director also commented the importance of ascertaining what is happening in foreign countries concerning this same subversive problem and how it has been dealt with by those countries; for example, the Director mentioned that the water cannon had been used most effectively against the hippies in Paris, as well as elsewhere and maybe the application of this tactic should receive consideration. In this regard, the Director commented the picture of what goes on abroad would more appropriately come within the purview of the CIA, DIA and NSA.

The Director stated he was establishing a working sub-committee headed by Assistant Director William C. Sullivan and composed of designated representatives of the other agencies present and the first meeting would be at 3:30 pm, 6/9/70 at the U. S. Intelligence Board Meeting Room and subsequent thereto a meeting would be held every Tuesday and Friday in order to draw together the raw material in order to present a final report to captioned Committee for scrutiny and evaluation on 6/22/70. The submission of the final report to the President will be on 6/30 or 7/1/70. The Director emphasized it was most vital that all agencies give this matter top priority.

Following the Director's initial remarks, those officials present commented that the aims and goals presented by the Director were realistic and that all present would cooperate in the fullest in getting organized and getting on with the highly important task which faces the special Committee.

During the discussion all agreed that the initial primary problem facing the Committee was to concentrate upon methodology in intelligence collection. The Director stated although brevity is the key, a detailed listing of all the items which are currently obstructing the FBI and other intelligence agencies in attaining their goals must be set out clearly with pros and cons so that the President is able to make a determination as to what he is willing to let us do. Some of the matters to be considered in this regard mentioned by the

~~TOP SECRET~~

~~TOP SECRET~~

Memorandum to Mr. DeLoach

RE: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)
MEETING IN DIRECTOR'S OFFICE, 11 AM, JUNE 8, 1970

Director were: (1) breaking of embassy codes with assistance of "black bag" operations, (2) limitations on telephone surveillances and (3) penetration of embassies with microphone and telephone surveillances.

It was agreed that the President is extremely anxious for the utmost degree of cooperation among all the agencies in coordination of this matter and the Director pointed out that there is certainly no problem with respect to coordination and the Director wanted it understood that the President expects the group to work together as a team.

At the close of the meeting, the Director again emphasized that the importance of this matter dictated that each agency put its top experts to work on this matter and that it be given the highest priority in order that this deadline is met as expected by the President.

ACTION:

You will be advised as to the results of the meeting of the working committee which takes place tomorrow, 6/9/70, at 3:30 pm.

~~TOP SECRET~~

UNITED STATES GOVERNMENT

Memorandum

TO : MR. DE LOACH

FROM : W. C. SULLIVAN

DATE: 6/9/70

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

My memorandum 6/8/70 set forth the members of the working group of captioned committee, which will hold its first meeting in the United States Intelligence Board Conference Room at 3:30 p.m., Tuesday, 6/9/70, with the exception of the Defense Intelligence Agency members.

Set forth below are the Defense Intelligence Agency (DIA) working group member and the member from each of the three military services. The additional names listed are the alternates for each of the agencies.

DIA - FOIA(b) (3) - 10 USC 424 - DIA, NRO and NGA
Deputy Chief, Office of Counterintelligence and Security, DIA

Lieutenant Colonel Donald F. Philbrick

Army - Colonel John W. Downie,
Director of Security, Assistant Chief of Staff
for Intelligence, Department of the Army

Mr. Elihu Braunstein

Navy - Captain Edward G. Rifenburgh,
Director, Naval Investigative Service,
Naval Intelligence Command

Mr. Harry Warren

Air Force - Colonel Rudolph C. Koller, Jr.,
Commander, 1127 U.S. Field Activities Group,
Assistant Chief of Staff, Intelligence, Air Force

Colonel D. E. Walker

ACTION:

For information.

RRH:hke
(7)

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This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. C. D. DeLoach

DATE: June 10, 1970

FROM : Mr. W. C. Sullivan

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/3/00 BY SP2 AEM/EHL

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT JUNE 5, 1970)
MEETING OF THE WORKING SUBCOMMITTEE JUNE 9, 1970

This memorandum records the results of the Working Subcommittee meeting on June 9, 1970.

Mr. Tom C. Huston, White House, spelled out the desires of the President, furnishing members with a "Top Secret" outline (copy attached). This outline addresses itself to the Purpose, Membership, Procedures, and Objectives of the Committee's Review. In his oral presentation, Huston emphasized the President was not interested in being told what the current problem is, but rather what the future problems will be and what must be done to counter them. He stressed the Committee should provide the President with the pros and cons of any restraints so that he can decide what action is to be taken.

It was agreed that all papers and reports prepared by the Committee will be classified "Top Secret - Handle Via Comint Channels Only" because of the President's desire that the existence and work of the Committee be tightly controlled. (The reference to Comint Channels refers to communications intelligence and insures that this matter will be handled in a secure manner.)

At the meeting various members discussed the restraints currently in effect which limit the community's ability to develop the necessary intelligence. In accordance with the President's instructions, the next meeting of the Working Subcommittee will consider all restraints restricting intelligence collection efforts across the board, as well as submissions on defining and assessing the existing internal security threat, both domestic and foreign.

It was agreed that the Working Subcommittee would next meet at 1:30 p.m., June 12, 1970, in the Conference Room of the U. S. Intelligence Board. Results of this meeting will be promptly furnished the Director.

ACTION:

For information.

Enclosure
WCS:lag/chs

~~TOP SECRET~~ MATERIAL ATTACHED

~~TOP SECRET~~

USIB SUB-COMMITTEE ON DOMESTIC INTELLIGENCE

I. Purpose

- (A) To define and assess the existing internal security threat.
- (B) To evaluate the collection procedures and techniques presently employed and to assess their effectiveness.
- (C) To identify gaps in our present collection efforts and recommend steps to close these gaps.
- (D) To review current procedures for inter-community coordination and cooperation and to recommend steps to improve these procedures.
- (E) To evaluate the timeliness of current intelligence data and to recommend procedures to increase both its timeliness and usefulness.
- (F) To assess the priorities presently attached to domestic intelligence collection efforts and to recommend new priorities where appropriate.

II. Membership

- (A) FBI, Chairman
- (B) CIA
- (C) NSA
- (D) DIA
- (E) Military Services
- (F) The White House

MDR-16
DECLASSIFIED BY SP2 ALM/EHL
ON 10/3/00

NATIONAL SECURITY INFORMATION
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~~TOP SECRET~~

~~TOP SECRET~~

-2-

III. Procedures

- (A) Although the sub-committee will be officially constituted within the framework of USIB, it will in fact be an independent, ad hoc, inter-agency working group with a limited mandate.
- (B) Operational details will be the responsibility of the chairman. However, the scope and direction of the review will be determined by the White House member.
- (C) The sub-committee will submit its reports to the White House and not to USIB. Report will be due by July 1, 1970.
- (D) To insure that the President has all the options available for consideration, the WH member may direct detailed interrogatories to individual agencies in order to ascertain facts relevant to policy evaluation by the President. Information resulting from such interrogatories will, if the contributing agency requests, be treated on a confidential basis and not be considered by the sub-committee as a whole.

IV. Objectives of the Review

- (A) Maximum coordination and cooperation within the intelligence community. The sub-committee may wish to consider the creation of a permanent Domestic Intelligence Operations Board, or some other appropriate mechanism to insure community-wide evaluation of intelligence data.
- (B) Higher priority by all intelligence agencies on internal security collection efforts.
- (C) Maximum use of all special investigative techniques, including increased agent and informant penetration by both the FBI and CIA.

~~TOP SECRET~~

~~TOP SECRET~~

-3-

- (D) Clarification of NSA's role in targeting against communication traffic involving U.S. revolutionary leaders and organizations.
- (E) Maximum coverage of the overseas activities of revolutionary leaders and of foreign support of U.S. revolutionary activities.
- (F) Maximum coverage of campus and student-related activities of revolutionary leaders and groups.
- (G) More detailed information about the sources and extent of financial support of revolutionary organizations.
- (H) Clarification of the proper domestic intelligence role of the Armed Services.
- (I) Development of procedures for translating analyzed intelligence information into a format useful for policy formulation.

~~TOP SECRET~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. C. D. DeLoach

DATE: June 15, 1970

FROM : Mr. W. C. Sullivan

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/3/00 BY SP2 ALM/EHL

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT JUNE 5, 1970)
MEETING OF THE WORKING SUBCOMMITTEE JUNE 12, 1970

This memorandum records the results of the Working Subcommittee.

At the meeting of June 12, 1970, the Committee agreed on an outline for the report to be furnished to the President by July 1, 1970. This report will cover three specific areas of interest: (a) an assessment of the current internal security threat along with the likelihood of future violence; (b) a listing of the current restraints which deter the development of the type of information the President desires; (c) an evaluation of interagency coordination.

With regard to an assessment of the current internal security threat, the Committee agreed the President does not desire a recitation of history but rather desires information as to what the problem is and an estimate of what the future problem will be.

The White House representative advised the restraints portion of the Committee report to the President should include, in addition to identifying the restraints and a listing of the pros and cons of removing or modifying the restraints, a brief paragraph allowing the President to indicate what action he desires be taken. Specifically, this would provide the President the opportunity to indicate whether he desired the restraints to be continued, relaxed, or that he needed additional information upon which to make a decision. It was the sense of the Committee regarding the third portion of the report that a permanent operations committee was needed to coordinate operations, prepare estimates of potential violence during future demonstrations, and to develop new policies. The creation of such a committee was endorsed by the White House representative who indicated such a committee would probably be desired by the President.

WCS:lag
(7)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

CONTINUED - OVER -

Memorandum Sullivan to DeLoach
Re: INTERAGENCY COMMITTEE ON INTELLIGENCE

The next meeting is scheduled for June 17, 1970,
at which time the Committee will consider the first draft
of the report.

ACTION:

For information.

UNITED STATES GOVERNMENT

Memorandum

SECRET

TO : Mr. C. D. DeLoach

DATE: June 19, 1970

FROM : W. C. Sullivan

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT JUNE 5, 1970)
MEETING OF THE WORKING SUBCOMMITTEE June 18, 1970

In two previous meetings of the above-captioned committee general discussions took place and the ground work was prepared for dealing with the substance of the report. Yesterday, a third meeting was held which extended throughout the afternoon and into the early evening. Memoranda has been prepared and submitted to the Director on the previous two meetings. Yesterday, the members of the four intelligence organizations worked out the report. I received the impression that Admiral Noel Gaylor of National Security Agency may have been a moving force behind the creation of this committee. The [REDACTED] Program which we discontinued a few years ago was raised immediately and figured prominently in the discussion. (S)

At the very beginning, the White House representative made it very clear to all members that the report had to be a working subcommittee report and any opinions, observations, conclusions or recommendations of individual agencies should not and could not be set forth with one exception. He said that the President did want a definitive recommendation relative to creating a group or committee which could deal with operational problems and objectives of the member agencies and present estimates, evaluations, and interpretations on the current security threats and problems resulting from the student-professorial revolutionary activities, black extremism and related security matters. He said the President is of the opinion that all government agencies involved in intelligence activities would have something to contribute and that through such a group or board authority would be exercised to better coordinate the collection of intelligence. REC-37

The men representing the Army, Air Force, Navy, National Security Agency and Defense Intelligence Agency went into great detail concerning intelligence operations, techniques, procedures, devices and et cetera, following a detailed discussion concerning the nature of the security threat to the United States today.

While all present were very friendly and cooperative to each other, nevertheless, the fact remains that in such a complex area as intelligence operations, difficult and serious issues are bound to come up concerning which there will be disagreements.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

SECRET

CONTINUED - OVER

SECRET

Memorandum to Mr. DeLoach

RE: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT JUNE 5, 1970)
MEETING OF THE WORKING SUBCOMMITTEE June 18, 1970

In view of this it is probably fortunate that no member was permitted to make any decisions, recommendations, or conclusions, et cetera, in that the President reserves this right for himself only. Each controversial issue has been so set up in writing that the President may quickly and simply indicate whether he wants or does not want any changes made.

Contingent upon what the President decides, it is clear that there could be problems involved for the Bureau. For example, the reactivation of the [REDACTED] Program, et cetera. (S)

We are completing the first draft of this report now. As soon as this is done, the report with a cover memorandum explaining the various issues involved will be furnished to the Director either late today or early tomorrow morning.

RECOMMENDATION:

For the information of the Director.

SECRET

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. C. A. Tolson

DATE: 6/20/70

MDR-16

FROM : W. C. Sullivan

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/3/80 BY SP2 ALM/ELH

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

Attached for the Director's consideration is a copy of a first draft of the report prepared by the working committee in connection with captioned matter.

The first 36 pages of this draft present an assessment of the present internal security threat under appropriate captions. This is material with which the Director is thoroughly familiar and it is not believed he need spend too much time reviewing it unless he so desires. There is nothing controversial in this portion of the report.

Material relating to investigative restraints and limitations discussed by the working committee is set forth in Section V (pages 37-59). This material is set forth in accordance with the President's request, with the pros and cons outlined and with no recommendations of any kind made by the committee. It is clear that in this portion we have controversial issues affecting the Bureau as well as the other agencies on the committee.

The final section of the report (pages 60-65) sums up, in accordance with the President's request, the committee's observations concerning current procedures to effect interagency coordination and suggested measures to improve coordination of intelligence collection through the establishment of a permanent interagency committee chaired by the Director or a person designated to act for him.

I do not agree with the scope of this proposed committee nor do I feel that an effort should be made at this time to engage in any combined preparation of intelligence estimates. I can see that a committee could be helpful if it was limited to meeting periodically to determine how to better coordinate operational activities against particular targets in the intelligence field.

The working committee is scheduled to meet again at 2 p.m., Tuesday, June 23, in order to reach agreement on a final draft of this report.

WCS:bsf

(3) This document is prepared in response to your request **CONTINUED** **discovery** nation outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum to Mr. C. A. Tolson
RE: INTERAGENCY COMMITTEE ON INTELLIGENCE

OBSERVATIONS:

If committee agreement is not reached at Tuesday's meeting on the controversial points involved, it would appear we have four possible courses of action:

(1) We can offer no objection to the report and wait to see what the President decides. (I think this would be unwise.)

(2) The Director can voice his objections to the President verbally.

(3) The Bureau can take a position in writing in the report opposing any relaxation of the investigative restraints discussed on the grounds that the arguments supporting these restraints outweigh the arguments opposed.

(4) The Bureau can take a position in writing in the report that it is opposed to the extensive scope and ramifications of the proposed new committee, while at the same time noting that we would have no objection to a committee which would be limited to meeting periodically in order to effect a better operational coordination among member agencies with regard to particular targets in the intelligence field.

RECOMMENDATIONS:

(1) That approval be given for the Bureau to include in the final committee report a statement opposing the relaxation of investigative restraints which affect the Bureau.

(2) That the Bureau take a position at Tuesday's meeting of the working committee that it is opposed to a new committee of the scope described in the attached draft, but that we would not object to a committee limited to better coordination specific intelligence operations or problems.

Memorandum to Mr. C. A. Tolson
RE: INTERAGENCY COMMITTEE ON INTELLIGENCE

RECOMMENDATIONS CONTINUED:

(3) That, in addition, the Director give consideration to expressing his objections verbally to the President.

(4) That, if the Director's schedule permits, final meeting of Director's committee take place in his office at 11 a.m., Thursday, June 25. At that time the Director can inquire if other committee members have any further comments and, if not, he can present them with a copy of the final report. (If the Director does not wish to present this report personally to the President, we will prepare appropriate transmittal letter for liaison to handle.)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Tolson

DATE: June 24, 1970

MDR-16

FROM : Mr. W. C. Sullivan

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/4/00 BY SP 2 ALM/EHL

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

The final meeting of the working committee was held on 6-23-70 and there is attached a proposed final draft of a report for the Director's review.

During the final working committee session, a number of changes were made in the prior draft which the Director has seen. Significant changes include the following:

1. Two of the investigative restraints previously listed have now been completely eliminated. These related to investigations involving clearance with State Department regarding diplomatic personnel and surreptitious optical surveillances.

2. The FBI's objections to the six remaining restraints have been spelled out specifically in appropriate footnotes which include the basis for our position. In addition, some of the key wording in the narrative has been modified in accordance with the observations the Director made to me Monday. For instance, the term "restrictions" in the decisions section relating to electronic surveillances (page 28) has been changed to "procedures." In the same write-up (page 26), reference to electronic surveillances having been "substantially reduced in recent years" has been taken out.

3. In the section dealing with evaluation of interagency coordination (pages 42-43), the reference to restrictions on FBI and CIA Headquarters liaison contacts has been removed and the specific reference to the Director as the proposed chairman of an interagency committee has been deleted. Instead, the report merely indicates that the chairman would be named by the President.

Enclosure

WCS:mea:ljz

(3)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized persons without the express approval of the FBI.

Memorandum W. C. Sullivan to Mr. Tolson

RE: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)

4. The prior draft contained a number of proposals relative to a permanent interagency committee including a full-time working group staffed by the various intelligence agencies. In the proposed final draft, these proposals have been toned down somewhat and the proposed full-time working group is mentioned only in passing as a possible future eventuality.* In fact, after considerable discussion the wording of this whole section was framed with a view of eliminating any suggestion that the proposed interagency committee would interfere with the internal operations of any individual agency. In addition, a footnote was added expressing the Bureau's specific views concerning any such committee or group.

5. The section on budget and manpower restrictions (pages 40-41) was revised to make it clear that the FBI does not have any problem with regard to review and approval of its budgetary requests.

Copies of this proposed final draft are being furnished to the member agencies for their review so that all interested parties will be fully cognizant of its contents in advance of the final meeting of the Director's Committee in his office at 3 p.m., Thursday, June 25, 1970. Those present will be Mr. Richard Helms, CIA; Lt. General D. V. Bennett, DIA; and Vice Admiral Noel Gaylor, NSA. Each man will no doubt be accompanied by an aide.

ACTION:

Upon approval, this report will be printed and assembled and then delivered to the Director's Office with a transmittal letter to the President in time for the Director's meeting. Due to the extremely sensitive nature of the report, each copy is being numbered and a record will be kept of each recipient. The Director will note that at the beginning of the President's copy there will be a form to be signed by each agency's head indicating approval of the report.

*Since the concept of a full-time working staff was all but eliminated, a footnote was not taken regarding this item.

~~TOP SECRET~~

June 25, 1970

The President
The White House
Washington, D. C.

MDR-16
DECLASSIFIED BY SP-2 ALM/EHL
ON 10/4/00

Dear Mr. President:

The Interagency Committee on Intelligence (Ad Hoc), which you established on June 5, 1970, has completed its assessment of the current internal security threat and related matters. A special report setting forth the findings of the Committee is attached.

This report is divided into three parts. Part One sets forth a summary of the current internal security threat. Part Two summarizes various operational restraints on intelligence collection and lists both the advantages of maintaining these restrictions and the advantages of relaxing them. Part Three provides an evaluation of interagency coordination, including suggested measures to improve the coordination of domestic intelligence collection.

This report has been approved by all of the members of the Committee representing the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation.

Sincerely yours,

Enclosure

WCS

WCS/mea

(4)

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Tolson

FROM : Mr. W. C. Sullivan *WCS*

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

MDR-16

DATE: June 26, 1970

ALL INFORMATION CONTAINED

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DATE 10/4/00 BY SP2 ALM/EHL

The Director, as Chairman of captioned committee, held the final committee meeting in his office on the afternoon of 6/25/70. Present were the other committee members; namely, Mr. Richard Helms, Director of Central Intelligence Agency; Lieutenant General D. V. Bennett, Director of Defense Intelligence Agency; and Vice Admiral Noel Gayler, Director of National Security Agency. Also present were Mr. Tom C. Huston, White House Presidential Assistant who had served in a liaison capacity with the committee; Assistant Director designate C. D. Brennan of the Domestic Intelligence Division; and the writer, W. C. Sullivan.

The purpose of the meeting was to review in final form which the President had instructed the committee to prepare to assess the current internal security threat to the country and evaluate the capacity of the intelligence community to deal with that threat.

The Director opened the meeting by commending the committee members for the outstanding effort and cooperative spirit they had displayed in working together to compile the comprehensive report.

The Director then furnished each committee member a copy of the report and carefully covered in a concise manner all of the items dealt with in the report. On each and every point the Director solicited observations by each committee member to insure that they fully understood every issue analyzed and were in complete agreement with the contents of the report. In this connection, Mr. Helms and Admiral Gayler suggested three minor additions be made. After securing the concurrence of all committee members, the Director instructed that this be done immediately.

WCS:pab
(3)

CONTINUED - OVER

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Memorandum to Mr. Tolson

RE: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)
(ESTABLISHED BY THE PRESIDENT, JUNE 5, 1970)

With that, all committee members signified their full and unqualified approval of the full report and so indicated by affixing their signatures thereto along with the Director's as Chairman of the committee. The Director stated that he would arrange for the transmittal of the report to the White House promptly on 6/26/70.

The Director instructed each committee member to insure that all working copies of the report at the agencies involved should be destroyed and fixed this responsibility on the agency heads who were members of the committee along with the responsibility of insuring that copies of the final report retained by them for reference should be afforded the utmost security.

The Director then concluded the meeting by thanking the respective members of the committee and so dismissed the committee.

RECOMMENDATION:

For information./

**WORKING GROUP
INTERAGENCY COMMITTEE ON INTELLIGENCE**

(As of 10 a.m., June 9, 1970)

FBI

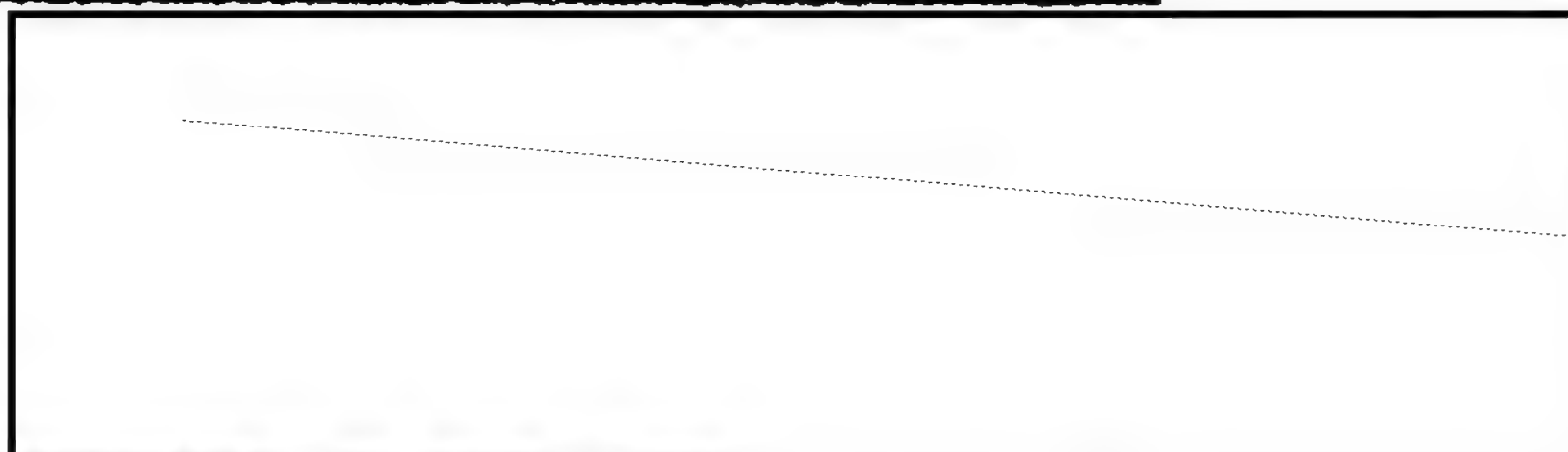
✓ Mr. William C. Sullivan
Mr. Donald E. Moore
Mr. George C. Moore
Mr. William O. Cregar
Mr. Fred J. Cassidy — 5 3 3

Central Intelligence Agency (CIA)

Mr. Richard Helms
Phone: Code 143, Extension 5575
Grey Phone: Extension 8353
Green Phone: Extension 3146

✓ Mr. James Angleton
Phone: Code 143, Extension 6976
Green Phone: Extension 3145

Defense Intelligence Agency (DIA)



GA

Department of the Army

✓ Colonel John W. Downie
Phone: Code 11, Extension 77927

Mr. Elihu Braunstein
Phone: Code 162, Extension 0900

Department of the Navy

✓ Captain Edward G. Rifenburgh
Phone: Code 152, Extension 0198

Mr. Barry Warren
Phone: Code 152, Extension 9065

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DATE 10/4/00 BY SP2 AEM/EHL

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CONTINUED - OVER

Department of the Air Force

✓ Colonel Rudolph C. Keller, Jr.
Phone: Code 192, Extension 46347

Colonel D. E. Walker
Phone: Code 192, Extension 42807

National Security Agency

✓ Mr. Benson K. Buffham
Phone: 888-7335 (Use outside dial tone)
Grey Phone: 93, Extension 3335

JFK Act 6 (1) (A)
FOIA(b) (3) - 50 USC 402 Note Sec 6 - NSA

White House

✓ Mr. Tom C. Huston
Phone: Code 145, Extension 2527

ICI-M-1
June 10, 1970

INTERAGENCY COMMITTEE ON INTELLIGENCE
WORKING SUBCOMMITTEE

Minutes of
First Meeting
Room 7E-26, CIA Headquarters Building
June 9, 1970, 3:30 to 4 p.m.

William C. Sullivan
Assistant Director, Federal Bureau of Investigation
Presiding

MEMBERS PRESENT

Mr. Richard Helms, DCI
Mr. James Angleton, CIA
Mr. James Stilwell, DIA
Col. John Downie, Army
Col. Rudolph Koller, Air Force
Mr. Tom C. Huston, White House
Capt. Edward Rifenburgh, Navy
Mr. Benson K. Buffham, NSA
Mr. George C. Moore, FBI
Mr. Donald E. Moore, FBI
Mr. William O. Cregar, FBI, Secretary

MDR-16
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ON 10/4/00

FOIA(b) (3) - 10 USC 424 - DIA, NRO and NGA

Observers:

Mr. Charles Sither, OSI

Mr. Elihu Braunstein, Army
Mr. Harry Warren, Navy
Col. D. E. Walker, Air Force

Mr. Fred J. Cassidy, FBI

JFK Act 6 (1) (A)

FOIA(b) (3) - 50 USC 402 Note Sec 6 - NSA

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ICI-M-1
June 10, 1970

MDR-16

DECLASSIFIED BY SP 2 ALM/EHL
ON 10/4/00

1. Prefatory Remarks

Prefatory remarks of William C. Sullivan circulated to all members at the meeting.

2. Background to the Creation of Committee

Mr. Tom C. Huston of the White House briefed the Committee on the President's concern over the emergence of the threat from sporadic violence and anarchism from the New Left, as well as the President's concern as to whether the intelligence community is doing everything possible to cope with the problem. Mr. Huston emphasized that an effort must be made for community-wide analysis and assessment of information so as to be in a position to advise the President as to what is going to happen in the future and what position the intelligence community will be in to be aware of these developments. An outline defining the purpose and membership of the Committee, as well as procedures and objectives of the Committee's review, was distributed at the meeting by Mr. Huston.

3. Classification Matters

The Chairman asked for comments regarding the level of classification for papers or reports prepared by the Committee. Mr. Buffham of NSA suggested the adoption of a code word. After some discussion, Mr. Helms, Director of CIA, recommended the classification "Top Secret - Handle Via Comint Channels Only." In addition, Mr. Helms suggested the maintenance of a "Bigot List" reflecting the names of all persons in each member agency or department who will work on or have knowledge of the work of the Committee. The Committee unanimously concurred in adopting both suggestions.*

*Members are requested to furnish their "Bigot List" to the Secretary at the meeting of June 12, 1970.

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4. Requirements for Next Meeting

It was agreed that at the next meeting members will table a list of those restraints which they consider hamper their intelligence-collection activities. The list should include the pros and cons of these restraints.

Mr. Buffham noted that in the outline distributed by Mr. Huston the Committee was called upon to define and assess the existing internal security threat. Mr. Buffham felt this was something that should be worked on immediately by the experts from the member agencies or departments. Mr. Huston suggested that the FBI prepare such a paper from the domestic standpoint and CIA from the foreign standpoint. All members concurred, and it was agreed CIA and FBI will distribute these papers for the Committee's consideration at the next meeting.

5. Security of Committee's Work

Members took cognizance of the necessity for tight security to insure the existence and work of the Committee not become known to unauthorized persons. As a result, it was agreed that the Committee would continue to meet in the CIA Headquarters Building.

6. Next Meeting

The next meeting will be at 1:30 p.m., June 12, 1970, Room 7D-64, CIA Headquarters Building.*

*Members please note change in room number.

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IN THE OFFICE OF THE ASSISTANT DIRECTOR
FOR THE DEPARTMENT OF JUSTICE

Minutes of
Second Meeting
Conference Room 7D-60
CIA Headquarters Building
June 12, 1970, 1:30 to 3 p.m.

William C. Sullivan
Assistant Director, Federal Bureau of Investigation
Presiding

MEMBERS PRESENT

FOIA(b) (3) - 10 USC 424 - DIA, NRO and NSA

Mr. Tom C. Huston, White House
Mr. James Angleton, CIA

Col. John Downie, Army
Mr. Charles Sither, Air Force
Capt. Edward Rifenburch, Navy
Mr. Dawson K. Buffham, NSA
Mr. George C. Moore, FBI
Mr. Donald E. Moore, FBI
Mr. William O. Cregar, FBI, Secretary

Observers:

Col. Rudolph Koller, Air Force
Lt. Col. Donald F. Philbrick, DIA
Mr. Elihu Braunstein, Army
Mr. Harry Warren, Navy

JFK Act 6 (1) (A)

FOIA(b) (3) - 50 USC 402 Note Sec 6 - NSA

Mr. Fred J. Cassidy, FBI

JFK Act 6 (1) (B)

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ON 10/4/00

MDR-16 1970
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ON 10/4/00

1. Approval of Minutes of the First

The minutes of the first meeting were approved with no changes.

2. Distribution of FBI Submission Entitled "Defining and Assessing the Existing Internal Security Threat - Domestic"

The FBI contribution was circulated to all members. It was suggested by Mr. Huston of the White House that the report be tabled to permit an in-depth reading by all members and that the contents of the submission be discussed at the next meeting. In this regard, Mr. Huston reiterated that the assessment paper should not be lengthy; should assess the current threat and estimate what the future threat will be.

3. CIA's Submission Entitled "Defining and Assessing the Existing Internal Security Threat - Foreign"

The CIA representative advised his Agency's submission would be circulated to all members in time for an in-depth discussion at the next Committee meeting.

4. Distribution and Discussion of "List of Restraints Inhibiting Intelligence-Collection Efforts"

The restraints papers submitted were read by all members. Mr. Huston indicated that the FBI submission was in the form he desired. He suggested the restraints portion of the report be patterned after the FBI submission with a concluding paragraph after each individual restraint providing the President with the option of continuing or modifying the restraint or asking for additional information on which to base a decision.

5. Preparation of Report

A suggested outline distributed to all members was read and approved. It was agreed that the FBI would prepare

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the first draft to be circulated to all members on June 16, 1970, following submission of inputs to all members no later than 10 a.m., June 15, 1970.

Committee members discussed the advisability of recommending the establishment of a permanent intelligence operations committee. Mr. Huston suggested the report address itself to this and include (1) how the committee would be constituted, (2) to whom it would report, (3) procedural matters, and (4) the committee's area of responsibility to include operations, preparation of estimates, and development of policy recommendations.

6. Next Meeting

The next meeting will be held on Wednesday, June 17, 1970, in the U. S. Intelligence Board Conference Room 7E-26.*

*Members please note change in room number.

~~TOP SECRET~~
~~HANDLE VIA COMINT CHANNELS ONLY~~

~~TOP SECRET~~
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101-1-2
June 15, 1970

INTERAGENCY COMMITTEE ON INTERNAL SECURITY
WORKING SUBCOMMITTEE

AGENDA
Third Meeting
USIB Conference Room 7E-20
on Wednesday, June 17, 1970, at 1:30 p.m.

-
1. Approval of Minutes of Second Meeting William C. Sullivan
 2. Discussion of Documents by FBI and CIA Entitled "Defining and Assessing the Existing Internal Security Threat" All Members
 3. Discussion of Documents Submitted by All Agencies Entitled "List of Restraints Inhibiting Intelligence-Collection Efforts" All Members
 4. Review of First Draft of Committee Report Circulated to All Members June 10, 1970 William C. Sullivan
 5. Date and Place of Next Meeting

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

10/4/00
DECLASSIFIED BY SP2 ALM/EHL
ON 10/4/00

~~TOP SECRET~~
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Group 1
Excluded from automatic
downgrading and
declassification

ICI-A-3
June 19, 1970

INTERAGENCY COMMITTEE ON INTELLIGENCE
WORKING SUBCOMMITTEE

AGENDA

Fourth Meeting

USIB Conference Room 7E-26

on Tuesday, June 23, 1970, at 2 p.m.

-
1. Approval of Minutes of Third Meeting William C. Sullivan
 2. Review of Second Draft of Committee Report to be Circulated to All Members William C. Sullivan
 3. Date and Place of Next Meeting 3 PM Thursday
in Hoover office

MDR-16
DECLASSIFIED BY SP2 ALM/ELC
ON 10/4/00

~~TOP SECRET~~
~~HANDLE VIA COMINT CHANNELS ONLY~~

Group 1
Excluded from automatic
downgrading and
declassification

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

ICI-4-3
June 19, 1970

INTERAGENCY COMMITTEE ON INTELLIGENCE
WORKING SUBCOMMITTEE

Minutes of
Third Meeting
Conference Room 7E-26
CIA Headquarters Building
June 18, 1970, 2 to 6 p.m.

William C. Sullivan
Assistant Director, Federal Bureau of Investigation
President

MEMBERS PRESENT

Mr. Tom C. Huston, White House

Mr. James Angleton, CIA

FOIA(b) (3) - 10 USC 424 - DIA, NRO and NSA

Col. John Downie, Army

Mr. Charles Sither, Air Force

Capt. Edward Risenburgh, Navy

Mr. Benson K. Duffham, FBI

Mr. Charles D. Brennan, FBI

Mr. George C. Moore, FBI

Mr. William O. Cregar, FBI, Secretary

Observers:

Col. D. E. Walker, Air Force

Mr. Elihu Braunstein, Army

Mr. Harry Warren, Navy

Mr. B. L. Willard, Navy

JFK Act 6 (1) (A)

JFK Act 6 (1) (B)

Mr. Fred J. Cassidy, FBI

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

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Group 1

Excluded from automatic
downgrading and
declassification

1. Approval of Minutes of Second Meeting

The minutes of the second meeting were approved with no changes.

2. Items Two and Three on the Agenda

The Chairman suggested that items two and three appearing on the agenda for the third meeting not be discussed inasmuch as the information contained therein had been incorporated into the draft report. The Committee concurred in this suggestion.

3. Review of First Draft of Committee Report

Detailed discussion developed regarding the draft. All members contributed valuable suggestions in ways to improve the report. It was agreed that the FBI would attempt to incorporate suggested changes into a second draft. This draft is to be circulated to all members as soon as possible, after which the recipients will attempt to obtain appropriate high-level concurrence within their respective agencies or departments.

4. Date and Place of Next Meeting

The next meeting will be held on Tuesday, June 23, 1970, in the U. S. Intelligence Board Conference Room 7E-26.

~~TOP SECRET~~

~~HANDLE VIA COMINT CHANNELS ONLY~~

UNITED STATES GOVERNMENT

Memorandum

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

10/9/00 BY SP 241M/ETHC

TO : Mr. Felt

DATE: 5/18/73

FROM : E. S. Miller *EMH/DP*

SUBJECT: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)

Pursuant to the request of Acting Director Ruckelshaus, I contacted Mr. J. Fred Buzhardt, Special Assistant to the President on 5/17/73.

Mr. Buzhardt requested our co-operation in providing him with a comprehensive outline of the history and activities of the Interagency Committee on Intelligence (Ad Hoc). A copy of the "Special Report" prepared by this Committee was found among highly sensitive material in the papers of former Special Counsel to the President John Dean.

A detailed review has been made of Bureau files in this matter. In summary, the Interagency Committee on Intelligence (Ad Hoc) was established under the chairmanship of former Director Hoover following a conference between Mr. Hoover and President Nixon on 6/5/70. Its purpose was to make recommendations for the more effective coordination of the intelligence gathering efforts of the FBI, Central Intelligence Agency (CIA), the National Security Agency (NSA), and the Defense Intelligence Agency (DIA) and to examine existing limitations on the use of certain intelligence collection techniques. Members of the Committee included CIA Director Helms, Director Gayler of NSA, Director Bennett of DIA and White House Staff Assistant Tom Huston.

Following a number of sessions of a working subcommittee headed by Assistant Director W. C. Sullivan of the Bureau, the Committee issued a 43-page "Special Report" which was delivered to the White House on 6/26/70. This report summarized the internal security threat facing the United States, reviewed limitations on intelligence collection and suggested measures to improve the coordination of domestic intelligence collection by the various Agencies. It was approved and signed by the head of each member agency.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

RDC:nlb (3)

(CONTINUED - OVER)

Memorandum to Mr. Felt .

Re: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)

By memorandum 7/23/70, Mr. Huston advised that the President had reviewed the "Special Report" and had reached certain decisions. According to Huston, the President desired a relaxation of restraints in a number of areas and the creation of a permanent interagency committee on domestic intelligence.

A copy of Huston's memorandum, along with pertinent background information, was sent to Attorney General Mitchell by letter 7/27/70. Mr. Mitchell was requested to furnish a prompt expression of his views and was advised the FBI was taking no action to implement the instructions contained in Huston's memorandum pending his reply. The Attorney General's attention was called to Mr. Hoover's opposition to the lifting of various investigative restraints and to the creation of a permanent interagency committee on domestic intelligence. The letter noted, however, that the FBI was prepared to implement White House instructions at Mitchell's direction.

The restraints referred to in the "Special Report" included limitations on the use of electronic surveillance of foreign establishments, the use of student informants on college campuses, covert and overt coverage of the mail, and surreptitious or illegal entry (so-called "bag jobs").

Our file does not show any further developments subsequent to the 7/27/70 letter to AG. There is no indication Mitchell ever responded to this communication or that any further action was taken by FBI.

However, it is the recollection of knowledgeable personnel that, on instructions which apparently originated with Mr. Hoover's office, the original of Huston's memorandum of 7/23/70 was returned to Huston about 7/30/70. It was the understanding of supervisors handling this matter at the time that a conversation had taken place between Mr. Hoover and Mitchell; and that Mitchell had reached an understanding with Mr. Haldeman at White House that the Huston memorandum would be returned without any acknowledgement or action being taken with the entire matter being a closed issue. No documentary evidence exists to support the foregoing.

Memorandum to Mr. Felt

Re: INTERAGENCY COMMITTEE ON INTELLIGENCE (AD HOC)

In any case, Interagency Committee on Intelligence (Ad Hoc) was terminated on 6/25/70 upon approval of its report.

It is noted that former Assistant Director W. C. Sullivan might have additional information concerning this matter, particularly regarding the basis for our returning Huston memorandum of 7/23/70 to the White House with no action being taken thereon. We are not recommending, however, that Sullivan be interviewed at this time. It is felt this should be left to the discretion of the White House and/or the Department.

ACTION:

Attached is a letter to Assistant Attorney General Petersen of the Criminal Division advising him of Mr. Buzhardt's request. We are providing Petersen with a letterhead memorandum (attaching copies of pertinent communications from our files) which summarizes the work of the Interagency Committee on Intelligence (Ad Hoc). Mr. Petersen is being asked to advise whether the Department has any objection to our providing this data to Mr. Buzhardt at the White House.

Providing the Department interposes no objection, we will immediately furnish Buzhardt with this information following a response from Petersen.

Assistant Attorney General
Criminal Division

May 18, 1973

Acting Director, FBI

INTERAGENCY COMMITTEE ON INTELLIGENCE
(AD HOC)

On May 17, 1973, Mr. J. Fred Buzhardt, Special Assistant to the President, requested the assistance of the Federal Bureau of Investigation (FBI) in providing him with a comprehensive statement regarding the history and activities of the Interagency Committee on Intelligence (Ad Hoc), which was established by President Nixon in 1970. A "Special Report," prepared by this Committee, was included in material found in the papers of former Counsel to the President John Dean.

There is enclosed a letterhead memorandum dated May 18, 1973, which sets out a summary of pertinent information in our files regarding this Committee together with observations based on the recollection of knowledgeable FBI personnel. You are requested to advise whether the Department would have any objection to our furnishing this information to Mr. Buzhardt. It is noted that Mr. Buzhardt has requested an expeditious response.

It is pointed out that former bureau official W.C. Sullivan might be able to provide additional information regarding this matter, particularly as to the circumstances surrounding the recall of the White House memorandum of July 23, 1970. No steps are being taken, however, to contact Mr. Sullivan at this time. MAY

Enclosures - 6

RDC:clb
(5) *clb*

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/4/00 BY SP2 AHM/EHL

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

MDR-16

DECLASSIFIED BY SP-2 ALM/EHL
ON 10/4/00

May 18, 1973

**INTERAGENCY COMMITTEE ON INTELLIGENCE
(AD HOC)**

Federal Bureau of Investigation (FBI) files disclose the following information regarding the captioned Committee:

During a conference with President Nixon on June 5, 1970, FBI Director J. Edgar Hoover was appointed chairman of a special committee to coordinate more effectively the intelligence-gathering efforts of the FBI, the Central Intelligence Agency (CIA), the National Security Agency (NSA), and the Defense Intelligence Agency (DIA) so as to assure that the President was being furnished a comprehensive picture of subversive activities. Present at the time of Mr. Hoover's meeting with the President were CIA Director Richard Helms; NSA Director Vice Admiral Noel Gayler; General Donald V. Bennett, Director of the DIA; and Mr. Tom C. Huston, White House Staff Assistant; all of whom were designated by the President to serve on the special committee. Also present were Presidential Assistants H. R. Haldeman and John D. Ehrlichman, and Secretary Robert H. Finch of the Department of Health, Education, and Welfare.

An initial meeting of the Interagency Committee on Intelligence (Ad Hoc) was held in Mr. Hoover's office on June 8, 1970. This meeting was attended by Mr. Helms, Vice Admiral Gayler, General Bennett, and Mr. Huston. Mr. Hoover stressed the President's keen interest in this matter and outlined the general objectives of the Committee. He instructed that a working subcommittee be established, composed of representatives of all of the member agencies and headed by Assistant Director William C. Sullivan of the FBI.

This working subcommittee subsequently held a series of meetings beginning June 9, 1970. At the initial meeting of this group, Mr. Huston provided members with a written outline detailing the purposes, membership, procedures, and objectives of the Committee. A copy of this outline is attached. (Attachment 1)

RDC: glw

(5)

TOP SECRET MATERIAL ATTACHED

Interagency Committee on Intelligence (Ad Hoc)

It was agreed that all papers and reports prepared by the Committee would be classified "Top Secret - Handle Via Comint Channels Only" in view of the President's desire that the work of the Committee be tightly controlled, and since the Committee report would be based in part on Comint data.

During subsequent meetings of the working subcommittee, representatives of each member agency submitted written material for use in compiling the report being prepared for the President. Detailed discussions took place regarding this material, and a draft report was prepared. The final meeting of the working subcommittee was held on June 23, 1970, at which time a consensus was reached on a final draft of the report to be issued by the Interagency Committee. This "Special Report," which was dated June, 1970, and numbered 43 pages, was signed and approved by the heads of each member agency at a final meeting of the Committee held in Mr. Hoover's office on June 25, 1970. A copy of the report was delivered to Mr. Huston at The White House on June 26, 1970, with a brief transmittal letter dated June 25, 1970, addressed to the President by Mr. Hoover. A copy of this letter is attached. (Attachment 2)

The "Special Report" was divided into three main sections. Part One set forth a summary of the internal security threat. Part Two summarized limitations on certain intelligence collection techniques (e.g., electronic surveillance coverage of foreign establishments) and cited advantages of maintaining such restrictions as well as the advantages of relaxing them. Part Three consisted of a brief evaluation of interagency cooperation together with suggested measures to improve the coordination of domestic intelligence collection.

By White House memorandum dated July 23, 1970, addressed to Mr. Hoover, with copies for the President and Mr. Haldeman, Mr. Huston advised that the President had carefully studied the "Special Report" and had made certain decisions with respect to the issues raised therein.

A copy of Mr. Huston's memorandum is attached. (Attachment 3) According to this communication, the President's decisions called for a relaxation of existing restraints on intelligence coverage. Mr. Huston

Interagency Committee on Intelligence (Ad Hoc)

also attached an undated memorandum outlining the organization and responsibilities of an interagency group on domestic intelligence and internal security which the President had ordered be established. A copy of this memorandum is also attached. (Attachment 4)

Following receipt of this memorandum, the FBI directed a letter dated July 27, 1970, to Attorney General Mitchell, furnishing him with pertinent background facts regarding the Interagency Committee on Intelligence (Ad Hoc) and providing him with a copy of Mr. Huston's communication. This letter stressed Mr. Hoover's opposition to the lifting of various investigative restraints as well as to the creation of a permanent interagency committee on domestic intelligence; but it noted that the Bureau was prepared to implement White House instructions at the Attorney General's direction. The memorandum requested a prompt expression of Mitchell's views concerning the matter and noted that the FBI would take no action to implement the June 23, 1970, White House communication pending the Attorney General's reply. A copy of the Bureau's letter of July 27, 1970, is attached. (Attachment 5)

The FBI file in this matter does not show any further developments subsequent to the July 27, 1970, letter to the Attorney General. There is no indication that Mitchell ever responded to this communication or that any further action was taken by the FBI.

However, it is the recollection of knowledgeable FBI personnel that, on instructions which apparently originated with Mr. Hoover's office, the original of Mr. Huston's memorandum of July 23, 1970, was returned to Huston on about July 30, 1970. It was the understanding of supervisors handling this matter at the time that a conversation had taken place between Mr. Hoover and Attorney General Mitchell; and that Mitchell had reached an understanding with Mr. Haldeman at The White House that the Huston memorandum would be returned without any acknowledgement or action being taken thereon, with the entire matter being a closed issue. It is stressed, however, that no documentary evidence exists to support the foregoing.

In any event, the Interagency Committee on Intelligence (Ad Hoc) was terminated on June 25, 1970, upon approval of its report to the President.

Enclosures (5)

May 18, 1973

BY LIAISON

Honorable J. Fred Buzhardt
Special Counsel to the President
The White House
Washington, D. C.

MDR-16
DECLASSIFIED BY SP-2 ALM/EHL
ON 10/4/00

Dear Mr. Buzhardt:

Pursuant to your request on May 17, 1973, of Assistant Director E. S. Miller of this Bureau, there is attached a letterhead memorandum dated May 18, 1973, together with five attachments which summarize pertinent information regarding the history and activities of the Interagency Committee on Intelligence (Ad Hoc), which was established by President Nixon in 1970.

It is noted that former Bureau official W. C. Sullivan might be able to provide additional information regarding this matter, particularly as to the circumstances surrounding the recall of The White House memorandum of July 23, 1970. No steps are being taken, however, to contact Mr. Sullivan at this time.

Sincerely yours,

at 1:16 PM 5/21/73
Henry Peterson advised
no objection to forwarding
this material to Mr. Buzhardt.

William D. Ruckelshaus
Acting Director

Enclosures (6)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

~~TOP SECRET MATERIAL ATTACH~~

Delivered by Liaison 5/21/73

~~TOP SECRET~~

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The Attorney General

July 27, 1970

Director, FBI

MDR-14
DECLASSIFIED BY SP2 ALM/EHL
ON 10/4/00

INTERAGENCY COMMITTEE ON INTELLIGENCE

There is enclosed a copy of a letter dated July 23, 1970, with attachment, addressed to me from Mr. Tom Charles Huston, White House Presidential Assistant.

For your information, on June 5, 1970, the President established an ad hoc interagency committee on intelligence chaired by me and also including the Directors of the Central Intelligence Agency, the Defense Intelligence Agency, and the National Security Agency. Mr. Huston served in a liaison capacity with the committee. This committee was requested by the President to submit a report assessing the current internal security threat, providing an evaluation of intelligence collection procedures, identifying gaps in our present collection efforts with recommended measures to close such gaps, and reviewing current procedures for interagency coordination with recommended steps to improve such procedures.

The final report of this committee was completed on June 25, 1970, and delivered to the President. This report set forth eight specific areas (corresponding to the eight numbered paragraphs in the attached letter from Mr. Huston) which had been reviewed by the committee. The first six related to current restraints on intelligence collection procedures; the seventh was concerned with budget and manpower needs in the event the various restraints were relaxed; and the eighth area dealt with the possible establishment of a permanent interagency committee on domestic intelligence. In each area the report of the committee was presented to show the advantages and disadvantages of any changes in current policies and also to allow the President to indicate his desires.

Enclosures - 2

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure

Subject to Criminal Sanctions

RDC:sfw/ekn
(5)

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The Attorney General

MDR-16
DECLASSIFIED BY SP 2 ALM/ETHC
ON 10/4/00

As set out in the attached letter from Mr. Huston, it is noted that the President has directed the relaxation of four investigative restraints directly affecting the responsibilities of the FBI. These include:

1. Intensified use of electronic surveillances and penetrations to effect coverage of individuals and groups in the United States who pose a major threat to the internal security, as well as foreign nationals and diplomatic establishments in the United States of interest to the intelligence community. In this connection, in the report presented to the President on June 25, 1970, I made clear the FBI's opposition to the relaxation of our present policy of selected coverage on major internal security threats through the use of this technique. I pointed out that the FBI believes electronic surveillance coverage is adequate at this time, but that we would not object to other agencies seeking the authority of the Attorney General for any coverage required by them and thereafter instituting such coverage themselves.
2. Removal of instructions on legal mail coverage and relaxation of covert mail coverage to permit use of this technique on selected targets of priority foreign intelligence and internal security interest. In this connection, in the report of June 25, 1970, I made clear the FBI's strong objection to implementing any covert mail coverage. It is the FBI's position that if covert mail coverage is implemented, it is likely that information would leak out of the post office to the press and that serious damage would be done to the intelligence community because of the very nature of this coverage. We have no objection to legal mail coverage, provided it is used on a carefully controlled and selective basis in both criminal and security matters.
3. The removal of restraints on the use of surreptitious entry to permit the procurement of vitally needed foreign cryptographic material and against other urgent and high priority targets. In the

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~~HANDLE VIA COMINT CHANNELS ONLY~~

The Attorney General

report of June 25, 1970, the FBI was clearly on record as being opposed to the surreptitious entry of embassies for the purpose of obtaining cryptographic materials, because the increase in the number of police guarding these embassies increases the operational hazards involved. I would like to point out further that the FBI no longer is equipped to conduct such operations against foreign embassies. Accordingly, in the event this technique should be employed against foreign embassies in the future, I feel strongly that it should be implemented by the particular agency requiring its use, and not by the FBI.

4. An increase in coverage of violence-prone campus and student-related groups and the removal of all restraints which limit such coverage. In the report of June 25, 1970, the FBI specifically objected to removing any of the present controls and restrictions relating to the development of campus sources. It was pointed out that to relax these restrictions would severely jeopardize our investigations and could result in leaks to the press which would be damaging and which could lead to charges that investigative agencies are interfering with academic freedom.

In connection with the proposed establishment of a permanent interagency committee on domestic intelligence, in the report of June 25, 1970, I specifically made clear my opposition to such a committee while pointing out that the FBI would approve of preparing periodic domestic intelligence estimates.

Despite my clear-cut and specific opposition to the lifting of the various investigative restraints referred to above and to the creation of a permanent interagency committee on domestic intelligence, the FBI is prepared to implement the instructions of the White House at your direction. Of course, we would continue to seek your specific authorization, where appropriate, to utilize the various sensitive investigative techniques involved in individual cases.

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The Attorney General

I would appreciate a prompt expression of your views concerning this matter, noting the request set forth in Mr. Huston's letter that an interagency committee be constituted by August 1, 1970. We are taking no action to implement the instructions contained in Mr. Huston's letter pending your reply.

~~TOP SECRET~~
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THE WHITE HOUSE
WASHINGTON

July 23, 1970

~~TOP SECRET~~

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MEMORANDUM FOR:

J. EDGAR HOOVER, DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

SUBJECT: DOMESTIC INTELLIGENCE

MDR 16

DECLASSIFIED BY SP2 ALM/ETHL
ON 10/4/00

The President has carefully studied the Special Report of the Interagency Committee on Intelligence (Ad Hoc) and made the following decisions:

1. Interpretive Restraint on Communications Intelligence. National Security Council-Intelligence Directive Number 6 (NSCID-6) is to be interpreted to permit NSA to program for coverage the communications of U.S. citizens using international facilities.
2. Electronic Surveillances and Penetrations. The intelligence community is directed to intensify coverage of individuals and groups in the United States who pose a major threat to the internal security. Also, coverage of foreign nationals and diplomatic establishments in the United States of interest to the intelligence community is to be intensified.
3. Mail Coverage. Restrictions on legal coverage are to be removed. Restrictions on covert coverage are to be relaxed to permit use of this technique on selected targets of priority foreign intelligence and internal security interest.
4. Surreptitious Entry. Restraints on the use of surreptitious entry are to be removed. The technique is to be used to permit procurement of vitally needed foreign cryptographic material and against other urgent and high priority internal security targets.

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-2-

5. Development of Campus Sources. Coverage of violence-prone campus and student-related groups is to be increased. All restraints which limit this coverage are to be removed. Also, CIA coverage of American students (and others) traveling or living abroad is to be increased.

6. Use of Military Undercover Agents. Present restrictions are to be retained.

7. Budget and Manpower. Each agency is to submit a detailed estimate as to projected manpower needs and other costs required to implement the above decisions.

8. Domestic Intelligence Operations. A committee consisting of the Directors or other appropriate representatives appointed by the Directors, of the FBI, CIA, NSA, DIA, and the military counter-intelligence agencies is to be constituted effective August 1, 1970, to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, carry out the other objectives specified in the report, and perform such other duties as the President shall, from time to time, assign. The Director of the FBI shall serve as chairman of the committee. Further details on the organization and operations of this committee are set forth in an attached memorandum.

The President has directed that each addressee submit a detailed report, due on September 1, 1970, on the steps taken to implement these decisions. Further such periodic reports will be requested as circumstances merit.

The President is aware that procedural problems may arise in the course of implementing these decisions. However, he is anxious that such problems be resolved with maximum speed and minimum misunderstanding. Any difficulties which may arise should be brought to my immediate attention in order that an appropriate solution may be found and the President's directives implemented in a manner consistent with his objectives.


TOM CHARLES HUSTON

Attachment

cc: The President

H. R. Haldeman

~~TOP SECRET~~

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ORGANIZATION AND OPERATIONS OF THE INTERAGENCY
GROUP ON DOMESTIC INTELLIGENCE AND
INTERNAL SECURITY (IAG)

1. Membership. The membership shall consist of representatives of the FBI, CIA, DIA, NSA, and the counter-intelligence agencies of the Departments of the Army, Navy, and Air Force. To insure the high level consideration of issues and problems which the President expects to be before the group, the Directors of the respective agencies should serve personally. However, if necessary and appropriate, the Director of a member agency may designate another individual to serve in his place.
2. Chairman. The Director of the FBI shall serve as chairman. He may designate another individual from his agency to serve as the FBI representative on the group.
3. Observers. The purpose of the group is to effectuate community-wide coordination and secure the benefits of community-wide analysis and estimating. When problems arise which involve areas of interest to agencies or departments not members of the group, they shall be invited, at the discretion of the group, to join the group as observers and participants in those discussions of interest to them. Such agencies and departments include the Departments of State (I & R, Passport); Treasury (IRS, Customs); Justice (BNDD, Community Relations Service), and such other agencies which may have investigative or law enforcement responsibilities touching on domestic intelligence or internal security matters.
4. White House Liaison. The President has assigned to Tom Charles Huston staff responsibility for domestic intelligence and internal security affairs. He will participate in all activities of the group as the personal representative of the President.
5. Staffing. The group will establish such sub-committees or working groups as it deems appropriate. It will also determine and implement such staffing requirements as it may deem necessary to enable it to carry out its responsibilities, subject to the approval of the President.

MDR-16
DECLASSIFIED BY SP2ALM/EAL
ON 10/4/00

~~TOP SECRET~~

~~TOP SECRET~~

~~HANDLE VIA COMINT CHANNELS ONLY~~

-2-

6. Duties. The group will have the following duties:

- (a) Define the specific requirements of member agencies of the Intelligence community.
- (b) Effect close, direct coordination between member agencies.
- (c) Provide regular evaluations of domestic intelligence.
- (d) Review policies governing operations in the field of domestic intelligence and develop recommendations.
- (e) Prepare periodic domestic intelligence estimates which incorporate the results of the combined efforts of the intelligence community.
- (f) Perform such other duties as the President may from time to time assign.

7. Meetings. The group shall meet at the call of the Chairman, a member agency, or the White House representative.

8. Security. Knowledge of the existence and purposes of the group shall be limited on a strict "need to know" basis. Operations of, and papers originating with, the group shall be classified "Top Secret-Handle Via Comint Channels Only."

9. Other Procedures. The group shall establish such other procedures as it believes appropriate to the implementation of the duties set forth above.

273 - 10054